

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, July 24, 1995 at 7:00 p.m., at the Pulaski County Administration Building, Board Chambers, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Jerry D. White, Chairman; Joseph L. Sheffey, Vice-Chairman; Ira S. "Pete" Crawford; and Mason A. Vaughan, Sr. Absent was Dr. Bruce L. Fariss. Also present were County Administrator Joseph N. Morgan, Assistant County Administrator Peter M. Huber, and Executive Secretary Gena T. Hanks.

1. Invocation

The invocation was given by Reverend C. R. Conner of the First Pentecostal Holiness Church.

2. Additions to Agenda

Additional agenda items were discussed at appropriate times as noted on the agenda.

3. Public Hearings:

- a. An amendment to the zoning map being considered by the Pulaski County Planning Commission from Residential (R1) to Agricultural (A1), on property identified on Pulaski County tax maps as parcel 080-001-0000-0040, owned by Maxwell and Thelma Brewster, located off Route 610, Case Knife Road, in the Robinson District.

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

It was moved by Mr. Crawford, seconded by Mr. Sheffey and carried, that the Board of Supervisors approve the above requested amendment.

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

- b. An amendment to the zoning map being considered by the Pulaski County Planning Commission from Residential (R1) to Agricultural (A1), on property identified on Pulaski County tax maps as parcels 108-001-0000-0026,0026A,0027,0027A,0028,0029 located off Route 609, Boyd Road, in the Draper District.

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

It was moved by Mr. Crawford, seconded by Mr. Vaughan and carried, that the Board of Supervisors approve the above requested amendment.

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

- c. An amendment to the zoning map requested by Haven Montgomery from Residential (R1) to Agricultural (A1) to allow placement of a single-wide manufactured home as the 4th residence on property identified on Pulaski County tax maps as parcel 018-004-0000-0005, owned by Ebbie G. Montgomery (Dec'd), located off Route 627, Highland Road, in the Cloyd District.

Chairman White opened the public hearing on this matter for public comments. Mr. Haven Montgomery and Mr. James Tallant spoke in favor of the request. The Chairman closed the public hearing.

It was moved by Mr. Vaughan, seconded by Mr. Sheffey and carried, that the Board of Supervisors approve the requested amendment. Further the supervisors requested the Planning Commission review the other five lots for possible rezoning. Staff was requested to begin proceedings for advertising public hearings, etc. The supervisors further requested the Health Department be requested to caution landowners not to install septic systems before getting building and zoning permits.

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

Voting no: none.

Not present: Dr. Fariss.

d. Consideration of Adoption of an Ordinance to Prohibit Parking in Handicapped Spaces.

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

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

AN ORDINANCE TO PROHIBIT PARKING IN HANDICAPPED SPACES

BE IT ORDAINED that pursuant to Section 46.2-1237, of the Code of Virginia, 1950, as amended, or its successor statute, "the Code", it shall be unlawful for a vehicle not displaying disabled parking license plates, an organizational removable windshield placard, a permanent removable windshield placard, or a temporary removable windshield placard issued under Section 46.2-731, or its successor statute, of the Code, or DV disabled parking license plates issued under Subsection B of Section 46.2-739, or its successor statute, of the Code, to be parked in a parking space reserved for persons with disabilities that limit or impair their ability to walk or for a person who is not limited or impaired in his/her ability to walk to park a vehicle in a parking space so designated except when transporting a person with such a disability in the vehicle.

Any person guilty of violating this Ordinance shall be assessed a penalty for its violation not exceeding that prescribed for a Class IV misdemeanor. A summons or parking ticket for such offense may be issued by law-enforcement officers and other uniformed personnel employed by Pulaski County to enforce parking regulations without the necessity of a warrant being obtained by the owner of a private parking area.

In any prosecution charging a violation of this Ordinance, proof that the vehicle described in the complaint, summons, parking ticket, citation, or warrant was parked in violation of the ordinance, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Chapter 6, Section 46.2-600 et seq., of the Code, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.

Upon the entry of a conviction under this section, or under any ordinance adopted pursuant to this section, involving the misuse of the privilege pertaining to vehicles displaying a license plate or placard issued pursuant to Section 46.2-731, or its successor statute, of the Code, the Court shall send notice of the conviction and of the number of the license plate or placard involved to the Commissioner, who may revoke the license plate or placard if he finds, after a hearing if requested by the person to whom the license plate or placard is issued, that such person (i) is not a person with a disability that limits or impairs his/her ability to walk and is not otherwise eligible to be issued a license plate or a placard pursuant to Section 46.2-731, or its successor statute, of the Code, or (ii) is authorized to have such license plate or placard but has allowed the abuse or misuse of the privilege granted thereby so that revocation appears appropriate to remedy the abuse or misuse.

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

Voting no: none.

Not present: Dr. Fariss.

4. Highway Matters:

Virginia Department of Transportation (VDOT) Resident Engineer Dan Brugh met with the Board regarding the following matters:

a. Follow-up from Previous Board meetings:

1. Formal speed study on Route 610 ,Case Knife Road, for first mile beyond Pulaski Town limits

The resident engineer reported this study was currently pending. Results of the study may be available by the August Board meeting.

2. Informal Speed Study, Intersection of Routes 628, Hazel Hollow Road, and 798, Falling Branch Road

The resident engineer reported this request was not an informal speed study, but a intersection study, and was still pending. Results of the study may be available by the August Board meeting.

3. Request for Maintenance and Rural Addition of State Route 755, Depot Road

The resident engineer reported improvements to this road are to be made before the school year begins. Further, this road is to be viewed in September as a rural addition.

4. Request for Brush Cutting and Cleaning Out of Ditches along Route 621, Brooklyn Road, near Riverlawn School in Fairlawn

The resident engineer reported this request had been completed.

5. Pothole Repairs on Route 798, Falling Branch Road, in New River near the train derailment and also on Church Street

The resident engineer reported this request had been

completed.

6. Request for formal speed study on Route 643, Thornspring Road, at Cougar Express for possible lowering of speed limit to 45 mph

The resident engineer reported this study is still pending. A report on this matter may be available at the August supervisors meeting.

7. Review of plans currently proposed for Route 738, Robinson Tract Road, to possibly alter plan to reduce cost of improvements on Route 728

This matter is to be carried over to the August agenda.

8. Review of Possible straightening of curves on Route 693, Julia Simpkins Road, and cost of extending Route 781, Scott Road, to Route 693, up Mack's Mountain, rather than straightening Route 693

This matter is to be carried over to the August agenda.

9. Locust Street Right-of-Way

The resident engineer reported the right-of-way for this road is not available. County staff was requested to determine the cost of acquiring the right-of-way.

10. Route 629, Highland Road, restoration of Neck Creek Bridge to standard conditions or to seek an alternative placement of any new bridge construction

Mrs. Jean Evans addressed the Board and summarized her request for restoration of the bridge and alternative placement of any new bridge. She voiced objections to taking of her property and reducing yard space.

The resident engineer advised a public hearing by VDOT was to be scheduled on this matter. Staff was requested to contact the Department of Historic Resources to seek relief, particularly in allowing the Route 627 bridge to be removed, instead of remaining intact as a historically preserved structure.

- b. Lyons Road, Route 662, Rural Addition

This road is to be added to the end of the rural addition list for review.

- c. Request for Widening of Curve and Posting of Dangerous Curve Sign on Route 711, Mines Road, Off Robinson Tract

The resident engineer reported no action would be taken on this request.

- d. Levy Court Rural Addition Repairs

It was moved by Mr. Crawford, seconded by Mr. Vaughan and carried, that the following resolution be adopted:

RESOLUTION

WHEREAS, the street described below was established 1977,

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 33.1-72.1, Code of Virginia,

Name of Street: Levy Court Length: 0.10 miles
From: Route 1131 To: a cul-de-sac
Guaranteed Right-of-Way Width: 50 feet
Recorded in Plat Book 06 Page 141 and dated 7/08/77, and
Revised plat recorded in Plat Book 06 Page 153 and dated 8/03/77, and Deed Book 323, Page 411, and dated 7/08/77.

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 street has been constructed in accordance with Virginia Department of Transportation Specifications and Standards.

BE IT FURTHER RESOLVED, the Board of Supervisors request the Virginia Department of Transportation to place this street in the secondary highway system of Pulaski County for maintenance pursuant to Section 33.1-72.1, 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: Mr. Crawford, Mr. White, Mr. Vaughan,
Mr. Sheffey.

Voting no: none.

Not present: Dr. Fariss.

e. Subdivision Street Standards Proposed Changes

An eight minute video on the proposed changes was presented.

f. Resolution for Appleton Drive, Route 1019, Rural Addition

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

WHEREAS, the street described below was established 1947, 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 33.1-72.1, Code of Virginia,

Name of Street: Appleton Drive Length: 0.15 miles
From: Route 1019 To: a T-turn around
Guaranteed Right-of-Way Width: 50 feet
Recorded in Plat Book 03 Page 68 and dated 7/30/59, and Deed Book 187, Page 5, and dated 7/16/59.

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 street has been constructed in accordance with Virginia Department of Transportation Specifications and Standards.

BE IT FURTHER RESOLVED, the Board of Supervisors request the Virginia Department of Transportation to place this street in the secondary highway system of Pulaski County for maintenance pursuant to Section 33.1-72.1, 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: Mr. Crawford, Mr. White, Mr. Vaughan,
Mr. Sheffey.

Voting no: none.

Not present: Dr. Fariss.

- g. Request for Stop Sign and Speed Limit Sign on Route 1209, Riverbend Drive

Ms. Tamara Gress addressed the Board and requested VDOT post a 25 mile per hour speed limit sign, as well as a sign indicating no access to the river is possible. The resident engineer indicated both signs could be erected.

- h. Request for Speed Bumps on Route 1403, Circle Drive

The resident engineer advised it is against state law to install speed bumps.

- i. Other Matters

Supervisor Sheffey requested guardrails be installed on Church Street. The resident engineer advised this has been reviewed once before, but VDOT can look into again.

Supervisor Sheffey advised the speed of traffic at the intersection of the Route 11 (east bound) and 624, New River Road, was causing hazards. The resident engineer advised VDOT will consider intersection advance warning signs.

Chairman White inquired if there were any plans for a connector

road between the Pulaski County Corporate Center and the Cougar Industrial Park. The resident engineer advised this matter could be reviewed after the industrial access road is complete.

5. Citizen Comments

Mr. Ray Chinault submitted a plat vacation request for right-of-way between lots 49 and 50 on Halbert Street. Staff was requested to initiate the plat vacation process by scheduling community meetings, etc.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report. The Board accepted the report as presented.

7. Reports from the County Administrator & Staff:

a. Appointments:

The Board deferred action on this matter until executive session.

b. Jefferson Building Future Use:

Staff reported it has been determined it is feasible for New River Community Action to keep Head Start in the building. The Board concurred with staff recommendation to keep the building occupied for one additional year, with the agencies expected to work toward some combined future location.

c. Report on 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 property: Pulaski County tax map parcel #38-1-26, owned by Ralph Sheffey, Jr., located on Route 624, New River Road, in the Cloyd District.

It was moved by Mr. Crawford, seconded by Mr. Vaughan and carried, authorizing staff to board up the windows and doors and fire damaged walls at a cost of \$500, with the costs to be added to the property as a tax lien.

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

Voting no: none.

Abstaining: Mr. Sheffey.

Not present: Dr. Fariss.

d. Courthouse Dedication:

The Board approved the date of Saturday, September 2, 1995, at 10:00 a.m. for the courthouse dedication ceremonies.

e. Emergency Medical Services Study:

The Board authorized staff to proceed with the meeting scheduled for August 8 with Fitch and Associates to inform all rescue volunteers of the Fitch study recommendations. A committee of both rescue squads, as well as both hospitals, was authorized to work with Emergency Services Coordinator Stan Crigger in developing a checklist of actions and decisions necessary should the Fitch recommendation be implemented.

f. Presentation of Town of Pulaski Resolution Re: Courthouse:

The Board acknowledged receipt of a resolution of appreciation from the Town of Pulaski for the recent dedication ceremonies of the Veteran's Memorial.

8. Items of Consent:

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

a. Minutes of June 26, 1995

The minutes of the June 26, 1995, meeting were approved as presented.

b. Accounts Payable

Accounts payable as presented on checks numbered 7296 through 7583 were approved as presented.

c. Transfers and Appropriations

Transfers as presented and filed with the records of this meeting and the Director of Management Services were approved. Appropriations as follows were presented and approved:

GENERAL FUND RESOLUTION #21

REVENUES

2301-01 Comm. Att. - Spec. Prosecutors Salaries	\$ 7,572.00
2404-30 Victims Assistance Grant	8,511.10

TOTAL	\$ 16,083.10
-------	--------------

EXPENDITURES

1213-1001 Treasurer's Office - Salaries	\$ 3,929.00
2106-1001 Clerk's Office - Salaries	1,743.00
2106-1003 Clerk's Office - Part-time Salaries	3,983.00
2106-3002 Clerk's Office - Contract Prof. Services	1,210.00
2201-3002 Comm. Attorney - Contract Prof. Services	7,572.00
2201-7001 Comm. Attorney - Machinery & Equipment	484.00
3303-5203 Court Services - Telecommunications	83.00
5338-5606 Victims Assistance Program	8,511.10
9104-5804 Erroneous Assessments - Tax Refund	467.00

TOTAL	\$ 27,982.10
-------	--------------

CAPITAL IMPROVEMENTS FUNDS RESOLUTION #12

REVENUES

001 9303-9111 Transfer to Capital Improvements	\$ 65,349.00
020 3307-01 Claytor Lake Water	(68,482.00)
020 5102-00 Transfer From General Fund	(65,349.00)

TOTAL	\$ 68,482.00
-------	--------------

EXPENDITURES

020 8114-3002 NRV Airport Industrial Park	\$ 11,543.00
9112-7123 Pike's Place Water	53,806.00
9112-7124 Claytor Lake Water	68,482.00

TOTAL	\$133,831.00
-------	--------------

INTERNAL SERVICE FUND RESOLUTION #3

EXPENDITURES

007 1224-5417 County Garage - Diesel \$ 6,417.00

TOTAL \$ 6,417.00

GENERAL FUND RESOLUTION #1

EXPENDITURES

7301-5604 Library - RIF Program \$ 3,857.99
(carry over from 94-95)

TOTAL \$ 3,857.99

d. Contracts and Change Orders

No contracts or change orders were presented.

e. Ratification:

The following contracts and agreements were ratified:

1. VHDA Administrative Services Agreement FY 96 - The agreement for FY 96 was ratified as presented. A copy of the agreement is filed with the records of this meeting.
2. Cleaning Contract - The Board ratified the staff recommendation to continue services with the current contractor, C & A Cleaning Services.
3. Virginia Tech Community Design Assistance Center - County Park Planning - The Board ratified planning work by Virginia Tech at a cost not to exceed \$5,000.

f. Personnel Changes

The Board reviewed recent personnel changes as presented by the Director of Management Services.

g. Resolution Establishing Water Rates for State Park and Pond Lick Hollow Water Systems

The Board of Supervisors adopted the following monthly rates:

Claytor Lake - \$13.50 for first 2,000 gallons
\$ 2.00 per thousand over 2,000 gallons

Pond Lick - \$37.00 for first 2,000 gallons
\$ 2.00 per thousand over 2,000 gallons

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

Voting no: none.

Not present: Dr. Fariss.

9. Citizen Comments

No citizen comments were heard.

10. Other Matters from Supervisors

No other matters were presented by the Board of Supervisors.

11. Executive Session - 2.1-344(A)

It was moved by Mr. Vaughan, seconded by Mr. Crawford and carried, that the Board of Supervisors enter executive session in accordance with Section 2.1-344 (A) of the 1950 Code of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition, and prospective industry.

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

Voting no: none.

Not present: Dr. Fariss.

It was moved by Mr. Crawford, seconded by Mr. Sheffey and carried, that the Board of Supervisors return to regular session of the meeting.

Certification of Conformance with Virginia Freedom of Information Act

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

Voting no: none.

Not present: Dr. Fariss.

RE: Appointments

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

1. Comprehensive Health Investment Project (CHIP) Coordinating Council

The Board appointed Ms. Ellen Moore of the Department of Social Services to the vacant position.

2. Planning District Commission

The Board appointed County Administrator Joe Morgan to the Planning District Commission for a term ending June 30, 1998. Staff was requested to send a letter of appreciation to Mr. Clyde Bruce for his service on the Planning District Commission.

3. Recycling Committee

The supervisors requested this position remain vacant.

4. PEP

The Board appointed Mr. Barry Long to fill the vacancy created due to Mr. Bob Kilgore's retirement.

5. Agency on Aging

The Board requested staff to invite Ms. Irene Robinson to serve on the Agency on Aging Board of Directors. Staff was requested to send Dr. William Dawson a letter of appreciation for his past service on the Agency on Aging Board of Directors.

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

Voting no: none.

Not present: Dr. Fariss.

12. Adjournment

It was moved by Mr. Sheffey, seconded by Mr. Vaughan and carried, that the meeting be adjourned. The next regularly scheduled meeting of the supervisors is to be held on Monday, August 24, 1995, at 7:00 p.m. in the Board of Supervisors Meeting Room, 143 Third Street, N. W. in the Town of Pulaski.

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

Voting no: none.

Not present: Dr. Fariss.

Jerry D. White, Chairman

ATTEST:

Joseph N. Morgan, Clerk