

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 18, 1995, 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; Dr. Bruce L. Fariss; and Mason A. Vaughan, Sr. Supervisor Ira S. "Pete" Crawford was unable to attend the meeting. Also present were: Supervisors Elect, Frank R. Conner and Charles E. Cook; County Attorney, Thomas J. McCarthy, Jr., Management Services Director, Nancy M. Burchett; Executive Secretary, Gena Hanks; and County Administrator, Joseph N. Morgan.

1. Invocation

The invocation was delivered by County Administrator Joseph N. Morgan.

2. Additions to Agenda

Additional agenda items were noted and considered at the appropriate times on the agenda.

3. Public Hearings:

- a. An amendment to the zoning map requested by Milton Clark from Residential (R1) to Conditional Commercial (CM1) for a day care and beauty parlor only on property identified on Pulaski County tax records as parcel 056-001-0000-0033, located off Route 11, Lee Highway, near the Dublin corporate limits, in the Draper District.

The county administrator reported this request had been recommended for denial by the Planning Commission on a vote of four in favor and three against. He also noted the beauty parlor is an existing allowed use as a home occupation Class A.

The Chairman then opened the public hearing.

The following citizens spoke in favor of the request: Mr. Michael Clark, Mr. Milton Clark, Mr. Charles Austin (adjacent property owner), and Ms. Carol Worrell.

Mr. Michael Clark advised adjacent property has already been zoned industrial and that adjacent property owners do not object to Mr. Milton Clark's conditional rezoning request.

Mr. Milton Clark advised the rezoning request would only affect three individual adjacent property owners. He also advised the day care and the beauty parlor would employ approximately five people.

Ms. Carol Worrell advised she would be the director of the day care. She reported the day care center would be for children two and one-half years of age to 5 years of age and the hours would be from 6:30 a.m. to 5:30 p.m. She further advised a number of individuals in the community had expressed an interest in a day care center in the area.

Supervisor Sheffey advised he had been contacted by Reverend Arnold, who favors the rezoning request.

Mr. Joe Holtz and an unidentified resident of the area spoke in opposition to the request.

Mr. Eugene Anderson and Mr. Clarence Webb, property owners in the area, inquired also about what effect this may have on their property. The county administrator advised this request was only

for a conditional zoning on Mr. Clark's property.

There being no further public comments received on this matter, the Chairman closed the hearing.

After discussion by the Board of Supervisors, Dr. Fariss made a motion to refer this matter back to the Planning Commission, to initiate rezoning to Industrial (I-1) for lots 33 through 38B of section 1 of tax map 56 (tax map parcels 056-001-0000-0033, 34, 35, 36, 37, 38A, and 38B); reconsider the conditional zoning request of Mr. Clark, including any site planning concerns; and consider zoning ordinance amendments to allow day care and home occupations, Class B, by Special or Conditional Use permit. Motion was seconded by Mr. Vaughan and carried.

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

Voting no: none.

Absent: Mr. Crawford.

- b. An amendment to the zoning map requested by Violet Baldwin from Residential (R1) to Agricultural (A1) to allow placement of a manufactured home as a second dwelling on property identified on Pulaski County tax records as parcel 100-001-0000-0026, located off Route 693, Julia Simpkins Road, in the Ingles District.

The county administrator advised this request had been recommended for approval by the Planning Commission. He also noted a zoning map interpretation was being considered that would determine the area in question south of Route 693 as Agricultural (A-1).

Chairman White then opened the public hearing. No public comments were heard; and therefore, the hearing was closed.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors approved the amendment.

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

Voting no: none.

Absent: Mr. Crawford.

- c. An amendment to the zoning map being considered by the Pulaski County Planning Commission from Residential (R2) to Residential (R) for the Shumate, Gaterum and Jones Subdivision identified on Pulaski County tax records as parcels 092-003-0000-0001-0023, located off Route 669, Cecil's Chapel Road, in the Ingles District.

The county administrator reported the Planning Commission had recommended approval of this request. In addition, he advised a majority of property owners had signed a petition in favor of the request.

The Chairman opened the public hearing.

Mr. Dale Conrad, representing a majority of the subdivision property owners, requested the Board approve the request.

No further public comments were received; therefore, the Chairman closed the hearing.

On the motion of Mr. Sheffey, seconded by Mr. Vaughan and carried, the Board of Supervisors approved the amendment.

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

- d. Potential applications for an Intermodal Surface Transportation Efficiency Act (ISTEA) grant application.

The county administrator reported the purpose of this public hearing is to receive suggestions from the public regarding possible projects to make application for ISTEA funding.

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

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors authorized staff to proceed with a grant application for ISTEA funding for the purpose of reopening the Draper Mountain overlook.

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

- e. Clean-up of debris on property owned by C. W. Lovern identified on Pulaski County tax records as parcels 054-003-0000-0194,0195, zoned Residential (R1), located off Route 738, Robinson Tract Road, and Route 720, Hylton Village Loop, Airport Addition, in the Robinson District.

The county administrator reported staff had reviewed this property and it still does not comply with county ordinance.

The Chairman then opened the public hearing. No comments were received; therefore, the Chairman closed the hearing.

At this time Chairman White advised he had reviewed this location and the area is a health and safety hazard to the residents living near the property.

On the motion of Mr. Vaughan, seconded by Mr. Sheffey and carried, the Board of Supervisors authorized county staff to notify owners once again of violation and further give them 10 days to clean up property and if compliance not met within 10 days from notification, county staff is authorized to proceed in cleaning up the property at the owner's expense.

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

4. Highway Matters:

Mr. J. D. Brugh, Virginia Department of Transportation (VDOT) Resident Engineer, appeared before the Board and discussed the following road matters:

- a. Follow-up from Previous Board meetings:

1. Request for Signing for School Bus Stops on the Lone Cedar Hill, along Route 693, Lead Mines Road, between ends of Route 672,

Baptist Hollow Road and on Cherry Branch Road, Route 613

The resident engineer reported all signs requested by the School Board in this area had been installed by VDOT.

2. Request for a Formal Speed Study for Route 693, Lead Mines Road, on the Outskirts of the Village of Snowville

The resident engineer advised the speed study had not been completed; however, he felt some extension to the speed zone would result. He advised the study should be available by the next Board of Supervisors meeting.

3. Request for cost estimate by VDOT for inclusion of all of Route 693, Fariss Mines Road, Julia Simpkins Road, and Wurno Road, from Carroll County to Montgomery County to Six Year Plan

The resident engineer reported he did not have a cost estimate at this time, but would advise as soon as possible. He estimated these figures would be available in a month or two.

4. Request for safety improvements, possibly guardrails on Route 687, Church Hill Lane

The resident engineer advised that Route 687 was very narrow and the Board may want to reconsider the installation of guardrails. He further reported VDOT preferred the additional width on roads to very narrow roads with guard rails.

Supervisor Sheffey advised he would contact residents who had made the initial request to determine the desires of the residents.

The county administrator advised he hoped to have available for Board review a listing of roads requesting the installation of guardrails by February, 1996.

5. Speed reduction signs posting on Route 624, New River Road

The resident engineer reported these signs should be installed around January 1, 1996.

- b. Route 627, Highland Road, restoration of Neck Creek Bridge

The resident engineer advised a public hearing on this matter had been scheduled for January 16, 1996 at New River Community College, Edwards Hall, at 6:00 p.m. to hear citizens concerns.

- c. Board of Supervisors Concerns

Supervisor Sheffey inquired about the US Route 11, Memorial Bridge study. The resident engineer reported lanes will be narrowed and a median barrier will be placed along the bridge in the spring of 1996 to keep traffic off the middle of the bridge while an evaluation is being conducted to determine the cost of rehabilitating the bridge vs. reconstruction. He advised no further significant deterioration of the bridge had occurred.

- d. Citizen Concerns

Ms. Shirley Bane Kneuctep appeared before the Board and expressed concerns regarding a private road leading to her home. Chairman

White advised Ms. Kneuctep the Board had no authority regarding a private road. He and County Attorney, Thomas J. McCarthy, Jr., suggested this matter be pursued through the courts as a civil matter.

At this time Mr. Dan Brugh expressed his appreciation to Supervisor Vaughan for his service as Supervisor for the Massie District for the past 16 years. Mr. Brugh wished Mr. Vaughan best wishes.

5. Citizen Comments

No public comments were received at this time.

Chairman White, on behalf of Supervisor Crawford, expressed regrets for not attending his last meeting. Chairman White advised Supervisor Crawford had experience a death in his family and could not attend the meeting. Chairman White, also on behalf of Supervisor Crawford, expressed to the Board members Supervisor Crawford's appreciation for support and help over the past 4 years.

Chairman White at this time also expressed appreciation for Supervisor Crawford's service on the Board of Supervisors.

6. Treasurer's Report

The Board of Supervisors reviewed the monthly trial balance report and certificates of deposits, as presented by Treasurer, Rose Marie Tickle. The Board accepted the report as presented.

7. Qualification and Oath of Office for Next Board of Supervisors and Constitutional Officers

At this time, Circuit Court Clerk, R. Glennwood Lookabill, administered the Oath of Office to the following Board of Supervisors and Constitutional Officers: Supervisor Jerry D. White; Supervisor Dr. Bruce L. Fariss, Supervisor Joseph Sheffey; Supervisor Elect Frank R. Conner; Supervisor Elect Charles E. Cook; Commissioner of Revenue Maynard H. Sayers, Treasurer Rose Marie Tickle; Sheriff Ralph Dobbins; and Commonwealth's Attorney, Everett P. Shockley.

8. Reports from the County Administrator & Staff:

a. Legislative Issues

The county administrator reported meetings have been scheduled separately with state legislators prior to the General Assembly convening. A meeting with Senator Trumbo will be held at New River Community College at 9:30 a.m. on Tuesday, December 19, 1995 and a meeting with Delegate Baker and Senator Mayre has been scheduled also for December 19 at 3 p.m. at the County Administration Building. Mr. Morgan further reported both town councils and the school board had been invited to participate in the meetings.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors requested staff to prepare a resolution or letter to the legislators relating the county's concerns over loss of state revenue for school funding and lack of funding for road improvements to be presented to the state legislators at the December 19, 1995 scheduled meetings.

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

Voting no: none.
Absent: Mr. Crawford.

b. Organizational Meeting

The Board of Supervisors reviewed a draft agenda for the Board of Supervisors organization meeting. The Board agreed to hold its organizational meeting on January 8, 1996 at 7 p.m. at the County Administration Building. In addition, no changes were made to the draft agenda for said organizational meeting.

- c. An amendment to the zoning map being considered by the Pulaski County Planning Commission from Residential (R1) to Commercial (CM1) on property identified on Pulaski County tax maps as parcels 056-009-0000-0222; 056-001-0000-061A,061C,061D,061E; and 056-024-0000-0136-0149 located from the Dublin corporate limits approximately 3,700 ft. along Route 1030, Bagging Plant Road, in the Ingles District.

On the motion of Dr. Fariss, seconded by Mr. Sheffey and carried, the Board of Supervisors tabled this matter and instructed staff to notify adjacent property owners the Board of Supervisors intends to rezone this area to CM1; however, the Planning Commission would be encouraged to consider site planning for any future development of the area.

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

d. Notice to Citizens on Emergency Medical Services

The Board of Supervisors reviewed an announcement to Pulaski County citizens regarding the paid ambulance attendants and the future charge for the transport system. Staff reported this announcement would be placed on the back of the PSA utility bills and a direct mailing to all county households is planned in 60 to 90 days to advise all citizens of the details of the new support for rescue volunteers.

9. Items of Consent:

On the motion of Dr. Fariss, seconded by Mr. Vaughan and carried, the Board of Supervisors approved the following items of consent, unless otherwise noted.

a. Minutes of November 27, 1995

The Board approved the minutes of November 27, 1995, as presented.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 8756 through 9051.

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 the following General Fund Appropriations:

General Fund No. 9:

REVENUES:

2404-33 Emergency Home Repairs VHDA \$ 9,105.55

EXPENDITURES:

5356-3009 Emergency Home Repairs 9,105.55

General Fund No. 10:

REVENUES:

2404-32 Records Preservation Grant \$ 2,032.33
1618-02 Charges For VA Cooperative Ext. Programs 700.00
Total \$ 2,732.33

EXPENDITURES:

2106-3010 Clerk's Office - Professional Serv. \$ 2,032.33
3302-3002 Regional Jail - Professional Serv. 18,951.63
8305-3006 VPI Extension - Printing & Binding 700.00
Total \$ 21,683.96

3. School Fund Appropriations

REVENUES:

3301-06 Carl Perkins Vocational Education \$ 5,054.00

EXPENDITURES:

6911-8201-30 Capital Outlay - Mach/Equipment \$ 5,054.00

d. Contracts and Change Orders:

*Agreement with Draper Aden Associates for Claytor Lake State Park Sewer

The Board of Supervisors authorized staff to execute an agreement with Draper Aden Associates for the Claytor Lake State Park sewer design. Said agreement includes a lump sum fee of \$115,000 and construction inspection fees not to exceed \$35,000. Funding for both the design and the construction will come from state bond issue proceeds.

e. Ratification

No matters were presented for ratification.

f. Personnel Changes

The Board reviewed recent personnel changes as prepared by Management Services Director, Nancy M. Burchett.

g. Resolution of Appreciation for Billy Smith

The Board approved the following resolution of appreciation for Billy Smith:

WHEREAS, Billy R. Smith has been a business leader that

demonstrated his commitment to the county's quality of life through his community service;

WHEREAS, Billy R. Smith has given countless hours in service to the citizens of Pulaski County as a charter member of the Pulaski Encouraging Progress (PEP) and as chairman of the 150th anniversary (sesquicentennial) celebration;

WHEREAS, Billy R. Smith rallied all segments of the county for the year long sesquicentennial event;

NOW THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its appreciation for the volunteer service of Billy R. Smith to the county and its citizens; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors in permanent testimony of its appreciation for the services provided by Billy R. Smith.

h. Elimination of Sheriff's Compensatory Time Obligation

The Board approved payment of compensatory time to Sheriff's Department personnel utilizing state funds for payment of compensatory time. A copy of these balances by employee shall be filed with the records of the Management Services Director, Nancy M. Burchett.

The Board also requested the employee benefits committee to review and make recommendations regarding target levels for limits on compensatory time accruals and use of compensatory time instead of sick leave for routine medical appointments.

i. Meals Tax Ordinance Penalty

The Board authorized the county attorney to prepare an amendment to update the penalty for failure to collect and report meals tax to a Class 1 Misdemeanor and instructed staff to schedule a public hearing on this matter as soon as the amendment is prepared.

j. Forest Service Land Swap

Dr. Fariss requested staff to voice the county's opposition to the proposed 50 acre or more or less swap of Federal for private land along Route 601, Little Creek Road, in Bland and Pulaski Counties due to diminishing county tax base.

k. Corporate Center Lease for Running Dogs

The Board of Supervisors approved staff preparing a request for proposals seeking lease proposals for running of dogs at the Corporate Center. The RFP would require maintaining of the Corporate Center by whomever it is may be leased to.

l. Acceptance of Motion Control Systems, Inc. Location in New River Industrial Park

The Board of Supervisors approved acceptance of Motion Control System, Inc. lot #1 in the New River Industrial Park. The Board also authorized the county attorney, staff and the Industrial Development Authority to prepare the necessary documents and take all acts necessary to accommodate the new MCS location.

m. NRRA Interim Financing - Pulaski County 1996 Tax Exemption

The Board of Supervisors approved NRRA use of approximately \$8.1 million in the county's 1995 bank qualified eligibility, should this assistance be needed by the NRRA. The Board further approved staff notifying NRRA that the county does not anticipate incurring more than \$1.5 million of tax exempt debt during calendar year 1995.

n. Shell Building Memorandum of Agreement and Understanding

The Board of Supervisors authorized execution of the Memorandum of Agreement and Understanding for the Shell Building. A copy is filed with the records of this meeting.

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

Voting no: none.

Absent: Mr. Crawford.

10. Citizen Comments

No citizens comments were heard at this time.

11. Other Matters from Supervisors

Dr. Fariss and Supervisor Sheffey expressed thanks and appreciation to Mr. Crawford and Mr. Vaughan for their service to the county as Supervisors for the Draper and Massie Districts.

12. Executive Session - 2.1-344(A)

On the motion of Mr. Sheffey, seconded by Dr. Fariss and carried, the Board of Supervisors entered 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. The Board authorized the two supervisors elect, Mr. Cook and Mr. Conner, to attend the executive session meeting.

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

Voting no: none.

Absent: Mr. Crawford.

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

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

Voting no: none.

Absent: Mr. Crawford.

Certification of Conformance with Virginia Freedom of Information Act

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

Voting no: none.

Absent: Mr. Crawford.

13. Adjournment

It was moved by Mr. Vaughan, seconded by Mr. Sheffey and carried, that the Board of Supervisors adjourn to an organizational meeting to be held on Monday, January 8, 1996 at 7:00 p.m. in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, N.W. in the Town of Pulaski.

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

Voting no: none.

Absent: Mr. Crawford.

Jerry D. White, Chairman

ATTEST:

Joseph N. Morgan, Clerk