

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 15, 1997 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 Third Street, N.W., in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Jerry D. White, Vice-Chairman; Dr. Bruce L. Fariss; Charles E. Cook; and Frank R. Conner. Staff members present included: County Administrator, Joseph N. Morgan; County Attorney, Thomas J. McCarthy, Jr.; Management Services Director, Nancy M. Burchett; and Executive Secretary, Gena T. Hanks.

1. Invocation

The invocation was given by Reverend Anthony Daniels of the First Baptist Church.

2. Additions to Agenda

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

3. Public Hearings

- a. Consideration by the Pulaski County Planning Commission of rezoning from Residential (R-1) to Commercial (CM-1) an area along the north side of Lee Highway (Rt. 11), beginning at its intersection with Thornspring Road (Rt. 643) west to include tax map number 055-001-0000-018C, owned by Donald T. Anderson and known as "The Barn", in the Massie District.

County Administrator, Joseph N. Morgan, advised the Planning Commission had tabled action on this matter until their January meeting; therefore, this matter would need to be advertised again for public hearing by the Board of Supervisors at the regular January meeting scheduled for January 27, 1998.

- b. Consideration of an amendment to Section 3.12.3-1c of the Subdivision Ordinance to change the requirement of street surface from surface treatment to require bituminous concrete street surfaces.

County Administrator, Joseph N. Morgan, advised the Planning Commission recommended approval of the above noted change to the Subdivision Ordinance requiring two (2) inches of SM2A bituminous concrete street surfaces. Mr. Morgan advised with this change developers would have to build new roads according to six year road standards.

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

Dr. Fariss expressed concerns regarding the increased cost to the developers should this change be approved. He also advised the increased costs may impede future development. He advised he would like to seek input from developers before the change is approved.

It was moved by Dr. Fariss, seconded by Mr. White and carried, to table this matter with staff requested to seek comments from the Asphalt Institute, presumably at Penn State, on the advisability of such change and also seek input from developers, realtors and the Virginia Department of Transportation.

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

Voting no: none.

Absent: Mr. Cook.

- c. A rezoning request by Kathleen J. Sledd from Residential (R-1) to Conditional Commercial (CM-1) to allow an art studio/gallery on property identified on Pulaski County tax records as parcel 065-001-0000-0082, approximately 23,886 sq. ft., located on the south side of Wilderness Road, (Rt. 611), 200 ft. west of the intersection of Tows Ferry Road (Rt. 697), in the Draper District.

County Administrator, Joseph N. Morgan, advised this request is for a conditional use request and is recommended for approval by the Planning Commission.

Chairman Sheffey opened the public hearing on this matter.

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

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors approved the above rezoning request per the recommendation of the Planning Commission.

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

Voting no: none.

Absent: Mr. Cook.

4. Highway Matters:

Virginia Department of Transportation (VDOT) Assistant Resident Engineer, David Clark, met with the Board regarding the following:

a. Follow-up from Previous Board Meetings:

1. Status of Surface Transportation Assistance Act Double Trailer Access

Mr. Clark advised this request was pending; however, he would check on the status of this request and report back to the Board at their January meeting.

2. Study Request, Rt. 663, Owens Road

The Board reviewed a request from Connie Lee requesting improvements to a hazardous curve on Route 663, Owens, Road. Mr. Clark advised this improvement would cost approximately \$25,000 and would be a six year plan request.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors requested staff place this request for improvements on Route 663, Owens Road, on the waiting list for road improvements.

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

Voting no: none.

Absent: Mr. Cook.

3. Rt. 738, Robinson Tract Road Tractor/Trailer Prohibition

Mr. Clark advised signs are presently up advising against tractor/trailer use; however, prohibiting tractor/trailer traffic would require a public hearing by the Board of Supervisors. The Board of Supervisors took no action on this matter at this time.

b. Processing Speed Limit Reduction Requests

The Board of Supervisors authorized staff to follow a procedure on each request for speed reduction as follows: county staff to request informal speed study by VDOT; share results with Board member in district requesting study; Board member to determine if formal action is required by the Board of Supervisors; and place on supervisors agenda as appropriate.

c. Speed Limit Reduction Request (New Road Behind Lowes in Dublin)

Mr. Clark advised VDOT would post 25 mph signs at this location.

The Board of Supervisors authorized staff to work with Supervisor Cook in determining the need for a speed study on the above road.

d. Rumble Strips at Intersection of Route 627, Highland Road, and Route 100, Cleburne Blvd.

Mr. Clark advised that rumble strips would not be recommended for the above area; however, an additional 30 inch stop sign, a stop bar and a stop ahead sign will be installed by VDOT.

e. Board of Supervisors Concerns

Supervisor Conner requested VDOT staff to check the Route 1030, Bagging Plant Road, curve signs at the County Garage.

Supervisor Fariss requested VDOT staff to check on the lack of visibility at the intersection of Route 693, Lead Mine Road, and Route 704, Greenhouse Road.

Supervisor Fariss requested VDOT staff to replace and/or repair signs caused by vandalism on Route 607, Kayoulah Lane, Route 608, Thomas Road, and Route 693, Farris Mines Road.

f. Citizens Comments

No citizen comments were heard at this time.

g. Other Matters

No other highway matters were discussed at this time.

5. Treasurer's Report

The Board reviewed the monthly trial balance report, sales tax distribution report, and certificates of deposit as prepared by County Treasurer, Rose Marie Tickle. The Board accepted the reports as presented.

Dr. Fariss expressed concerns regarding the sales tax amount of 4.04% distributed to the City of Radford.

6. Citizen Comments

No citizens comments were heard at this time.

7. Report from Friends of Pulaski Theatre (FOPT)

Mr. Randolph Eley gave a status report to the Board of Supervisors regarding the Pulaski Theatre building. Mr. Eley advised the Friends of Pulaski Theatre had made the necessary repairs to the theatre roof at a cost of approximately \$30,000, and had employed a professional fund raising group to survey the citizens regarding feasibility of the theatre restoration and determine the amount of money which would need to be raised for said renovations. Mr. Eley further advised the surveys had been mailed and results of the survey revealed that a high percentile (90%) received from citizens had indicated support for the theatre renovations. In addition, a site plan had been developed with negotiations on a site plan now underway and that the architectural plans have now been completed.

Mr. Eley reported that fund raising efforts had not yet begun.

Supervisors White and Cook inquired about a time table for the Friends of the Theatre assuming ownership of the building. Mr. Eley advised no timetable had been established at this time.

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors requested that the Friends of the Pulaski Theatre provide an interim report to the Board of Supervisors in six months and be prepared within the next 18 months to accept ownership of the Pulaski Theatre.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.  
Voting no: none.

8. Reports from the County Administrator and Staff:

a. Key Activity Timetable

The Board of Supervisors reviewed the Key Activity Timetable as presented by staff.

b. Meeting Date to Review Jefferson Mills Industrial Revenue Bond Financing

The Board of Supervisors scheduled a supervisors meeting for Tuesday, December 23, 1997 at noon in Godbey Hall at New River Community College regarding the Jefferson Mills industrial revenue bond financing.

c. Appointments

1. Office on Youth
2. Southwest VA Economic Development

The Board deferred the above appointments until executive session portion of the meeting.

9. Items of Consent:

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

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.  
Voting no: none.

a. Minutes of November 24 & December 6, 1997

The Board approved the minutes of November 24 & December 6, 1997 as presented.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 17207 through 17523.

c. Appropriations & Transfers

The Board approved the following additional appropriations and transfers as follows:

1. Interoffice Transfers #6 - \$31,251.79

The Board approved Internal Service Fund Transfer #6 in the amount of \$31,251.79 as presented and filed with the records of the Director of Management Services.

2. General Fund Appropriation #6-\$5,789.20.

Revenues	
2301-01State Comm. Attorney	\$ 2,867.20
Total	\$ 2,867.20

Expenditures:		
2201-1003 Comm. Attorney Salaries	\$	2,867.20
7115-4007 Claytor Lake Cleanup Gas		20.00
9104-5804 Erroneous Assessments		1,739.00
9310-582301 Bldg. Permits State Fee		191.00
9310-5827 Refunds Other		<u>972.00</u>
Total	\$	5,789.20

3. Capital Improvement Fund Appropriation #6 - \$25,848.00

Revenues:		
5102-00 Transfer from Gen. Fund	\$	25,848.00

Expenditures:		
4307-7013 Courthouse Landscaping	\$	848.00
8122-7070 Commerce Park AEP Prop. Acq.		<u>25,000.00</u>
Total	\$	25,848.00

4. Capital Improvement Fund Transfer #1 \$4,800

Expenditures:		
3235-7005 Equipment & Stations	\$	4,800.00-
3230-7022 REMSI Admin. Computer Equip.		4,800.00+
Total		-0-

5. Social Services Appropriation #1(10,323) & #2(\$47,000)

Revenues:		
240107 Emergency Assistance	\$	500.00
240102 Public Assist. & Welfare Admin.		<u>9,823.00</u>
Total	\$	10,323.00

Expenditures:		
5302-5707 Emergency Assistance	\$	500.00
5341-1001 Salaries & Wages		6,356.00
5340-5407 Repair & Maintenance		<u>3,467.00</u>
Total	\$	10,323.00

Revenues:		
Transfer from General Fund	\$	47,000.00

Expenditures:		
5312-3010 Other Contracted Services	\$	47,000.00

d. Ratification:

1. Contracts

No contracts were presented at this meeting.

2. Change Orders:

a. Claytor Lake State Park Water System Change Order #1  
Amendment CO97-12-1

The Board approved the Change Order #1 Amendment CO97-12-1 in the amount of \$5,447.43 with H. T. Bowling, Inc. for the Claytor Lake State Park Water System.

b. Claytor Lake Sewer Line Extension Change Order #7 –CO97-12-2

The Board approved Change Order #7 in the amount of \$54,763.10 with Little B Enterprises for the water line extension to the proposed truck stop. It was noted that \$35,503 in addition to the above amount is to be paid by the truck stop developer.

c. Route 660 Water Line Project Change Order #4-CO97-12-3 & #5-  
CO 97-12-4

The Board approved Change Order #4 in the amount of \$46,033.00 for the extension of water to Walters Trailer Park and Change Order #5 in the amount of \$5,900 for the water line extension for Motion Control, Inc.

3. Agreements:

No agreements were presented for approval at this meeting.

e. Personnel Changes

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

f. Mandatory Direct Deposit for New Employees

The Board of Supervisors approved the following policy regarding mandatory direct deposit for new employees:

Full-time employees employed by Pulaski County on or after January 1, 1998 shall be required to participate in the direct payroll deposit benefit. Employees not having a checking and/or savings account for direct payroll deposit shall be allowed 30 days after employment or upon becoming a full-time employee to acquire a checking and/or savings account for direct payroll deposit.

To assure that direct payroll deposits are credited to employees checking and/or savings account in a timely manner, the county shall transmit the direct payroll deposit for employees three (3) banking days prior to payroll. If no transmitting or other problems occur, employees should receive credit for their direct payroll deposit one (1) day prior to payday.

g. \$4-for-Life Endorsement

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors denied the request from Western Virginia Emergency Medical Services to endorse the proposed \$4 for Life funds.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.  
Voting no: none.

h. Memorial Placement Policy

The Board of Supervisors approved the following policy regarding requests for memorial placements on county property:

The Courthouses Exhibits Committee shall review requests for the placement of memorials on county property including the courthouse grounds. The Courthouses Exhibits Committee shall then make a recommendation on the requests to the Board of Supervisors for final approval or denial.

- i. Scheduling Surplus Property Disposal Public Hearings
  - 1. Rt. 100 Right-of-Way on Cloyd's Mountain
  - 2. Rt. 1030, Bagging Plant Road
  - 3. Rt. 11, Lee Highway
  - 4. Former Belspring School Site

The Board approved scheduling public hearings on the above listed property for disposal at the January regular meeting of the Board of Supervisors.

- j. Use of Firing Range

The Board of Supervisors denied a request for the use of the firing range by citizens per the recommendation of Pulaski County Sheriff James Davis.

- k. County Property Usage Policy Revision

The Board of Supervisors approved the following policy regarding county property usage:

### **COUNTY PROPERTY USAGE POLICY**

#### **I. Buildings Covered**

Administration Building  
County Courthouse  
Circuit Courthouse  
Maintenance Facility  
Belspring School  
Jefferson Building  
Central Gymnasium  
Grounds of the above buildings

#### **II. Uses Allowed**

Any of the above buildings identified under Section I shall be made available to private groups, clubs and organizations for any of the following uses:

- a. Organizational meetings
- b. A maximum of four meetings per year
- c. Mass meetings where large numbers of people are expected to attend. These meetings shall not exceed two meetings per year.

### III. **Exempted Activities**

The following activities will be conditionally allowed in any and/or all structures mentioned in Section I:

- a. Any meeting of a county authorized committee, group, commission, or board.
- b. Any public hearing sponsored by a local, state, or federal government agency or officer.
- c. Clubs, organizations, or groups sponsored by an agency currently utilizing space in a county building.
  - NOTE: Any activity that takes place under this section, the club, organization, or group shall be responsible for Section V and VI.
- d. Political parties holding meetings authorized under state or federal election laws.

### IV. **Insurance Requirements**

All users shall be responsible for the care of the building and shall indemnify the county for damages resulting from use of the building. The county may require a certificate of insurance to be filed with the County Administrator prior to the occurrence of the activity, if the proposed use poses, in the opinion of County Administrator, a risk greater than a typical community meeting.

If a Certificate of Insurance is required, the County, in cooperation with their Insurance Provider, will determine coverage requirements. In all cases requiring insurance, the County of Pulaski will be named as an "Additional Insured" and Certificate Holder.

### V. **Reservation Procedures**

All uses allowed under Section II and III shall obtain usage of the building through the following procedure:

Office of the County Administrator shall be notified in writing of the intent to use a building, number of people expected, activity which will take place, along with the following:

1. Date and time of meeting
2. Building to be used
3. Name of individual responsible for security and cleanup
4. Copy of certificate of insurance, if applicable

VI. **Security and Cleanup**

All agencies using any of the structures outlined in Section I shall be responsible for the following:

- a. Obtaining a key to the structure where the meeting will take place and signing a statement certifying that they are authorized by the group, agency, etc. to obtain keys to the structure.
- b. All keys issued shall be returned on the following workday. Failure to return keys promptly may jeopardize further uses of the structure.
- c. Cleanup and replacement of any damaged equipment, materials, furnishings windows, doors, etc. shall be the full responsibility of the club requesting use of the building under Section V. Failure to make necessary repairs or cleanup of area used may restrict or prohibit further use of the structure by any group or agency identified under Section II or III.
- d. The individual identified under Section VI-a shall be totally responsible for security of all areas used by the group, security of all exterior doors, turning off all lights, and insuring that all unauthorized individuals are not admitted and do not gain access to the structure.

VII. **Priority**

Where conflict in scheduling meetings occurs, priority will be given to courts, the Board of Supervisors and county offices in that order.

VIII. **Exceptions**

Any exceptions to this policy would require approval of the Board of Supervisors. An exception specifically requiring Board of Supervisors approval are any fund-raising activities, whether or not for profit.

l. **Plat Vacation Requests**

The Board of Supervisors approved scheduling public hearing on the following two plat vacation requests for the regular meeting in January, 1998: Freddie Ray and Kaye L. Dalton on Holbert Avenue in the village of Draper and Robert L. Thomas off Madison Street in the village of Fairlawn.

m. **Financial Advisor for Overall Capital Needs**

The Board of Supervisors authorized staff to seek request for proposals to secure a financial advisor for the county for the various major capital needs.

n. Snowville Fire Truck Purchase

The Board of Supervisors approved issuing a purchase order for a truck and pumper for the Snowville Fire Department in the amount of \$170,673 with \$150,000 already being appropriated, an additional \$15,000 being approved to be paid by the county, and the remaining difference of \$5,673 to be paid by the Snowville Fire Department. It being understood the additional funding provided by the county should be offset by reduced funding of the Hiwassee fire truck in the future.

o. PDC State Funding

The Board of Supervisors approved the following resolution of support for increased state financial support for the Virginia Planning District Commission Programs:

WHEREAS, in 1968, the Hahn Commission recommended a series of new concepts in intergovernmental cooperation including the creation and implementation of the Virginia Planning District Commission Program which set the framework for local units of government to join together on a voluntary basis to discuss and develop solutions to regional problems;

WHEREAS, in 1968, the Virginia General Assembly enacted the Virginia Area Development Act to Implement the Virginia Planning District Commission Program pursuant to the Hahn Commission's recommendations; and

WHEREAS, in September of 1969, the localities of the New River Valley Planning District jointed together and created by charter agreement, the New River Valley Planning District Commission; and

WHEREAS, the New River Valley Planning District Commission and twenty other planning district commissions, covering all regions of the Commonwealth, have been in continuous operation for over a quarter of a century and have played a major role in the formulation and implementation plans, programs, and projects to address issues of state and regional concern within and among the planning districts; and

WHEREAS, in 1994, the Virginia Joint Legislative Audit and Review Commission (JLARC) concluded that while the Virginia Planning District Program has proved effective in addressing a myriad of state and regional issues, planning district commission funding is predominantly in the form of program specific grant and local contract services revenues thereby impeding the ability of planning district commissions to respond to other critical regional needs; and

WHEREAS, JLARC also pointed out in their 1994 review that State funding for the Virginia Planning District Commission Program had declined from \$2,034,200 for Fiscal Year 1989 to \$1,740,156 by Fiscal Year 1994 further undermined the ability of Virginia planning district commissions to address critical regional needs; and

WHEREAS, in response to the 1994 JLARC review of the Virginia Planning District Commission Program, the Virginia General Assembly enacted the Regional Cooperation Act in 1996 to strengthen some aspects of the Planning District Commission Program but failed to rectify the funding deficiency problems identified by JLARC and needed to fulfill additional state and regional issues;

NOW, THEREFORE BE IT RESOLVED, that Pulaski County, a member of the New River Valley Planning District Commission, requests the Governor and the General Assembly to support a budget amendment to provide funding adequate to address critical regional needs of the New River Valley Planning District and all of the other regions of the Commonwealth; and

BE IT FURTHER RESOLVED, that the specific terms of the budget amendment include at least a minimum base level of funding of \$100,000 per year, or 35 cents per capita, per planning district commission, whichever is greater based on the populations of Virginia's twenty-one planning districts.

10. Citizen Comments

No citizen comments were heard at this time.

11. Other Matters from Supervisors

Supervisor Cook advised the Board of his recent visit to Pulaski County High School to review the leaking roof. He reported he had requested a prioritized listing from the school board of roof repair needs and other building maintenance repairs within the school system for the Board of Supervisors to review.

Chairman Sheffey advised of a public meeting to be scheduled in either January or February, 1998 by the Appalachian Electric Power Ad Hoc Committee to receive public input on the proposed power line.

12. Executive Session – 2.1-344(A)

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

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Return to Regular Session

On the motion of Mr. Conner, seconded by Mr. Cook and carried, the Board of Supervisors returned to regular session.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. White, seconded by Dr. Fariss 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 of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

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 to the best of each members' 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 this motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

\*Appointments

1. Office on Youth

On the motion of Mr. Conner, seconded by Mr. White and carried, the Board of Supervisors reappointed Ms. Joyce Owen and Ms. Jeannette Sheffey to the Office on Youth Board for a term ending January 1, 2000.

Voting yes: Dr. Fariss, Mr. Cook, Mr. White and Mr. Conner.

Voting no: none.

Abstaining: Mr. Sheffey.

2. Southwest Virginia Economic Development Financing

On the motion of Mr. Conner, seconded by Mr. White and carried, the Board of Supervisors appointed Dallas Cox to the Southwest Virginia Economic Development Financing Bond.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

\*Land Acquisition

The Board of Supervisors instructed staff to advise New River Industrial Park adjacent property owner, Mr. Whited, that his requests for a land swap and purchase may be considered as the master plan for the park is finalized, probably in mid 1998.

\*Prospective Industry

Supervisor White requested staff to prepare a report for the December 21, 1997 Rotary Club meeting on the Pulaski County Internet Committee and/or the six year road improvement plan update.

13. Adjournment

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors adjourned to reconvene on December 23, 1997 at noon at Godbey Hall, New River Community College. The next regularly scheduled meeting of the Board of Supervisors is set for Monday, January 26, 1998 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, N.W. in the Town of Pulaski, Virginia.

Voting yes: Dr. Fariss, Mr. Cook, Mr. Sheffey, Mr. White and Mr. Conner.

Voting no: none

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Joseph L. Sheffey, Chairman

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Joseph N. Morgan, Clerk