

PULASKI COUNTY BOARD OF SUPERVISORS – DECEMBER 21, 1998

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 21, 1998 at 7:00 p.m. at the Pulaski County Administration Building, Board Room, 143 Third Street, NW, 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.; Executive Secretary, Gena T. Hanks; and Assistant County Administrator, Peter M. Huber.

1. Invocation

County Administrator Joseph N. Morgan gave the invocation.

2. Additions to Agenda

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

3. 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. Rt. 640, Brookmont Road, Formal Speed Study Results

The assistant resident engineer advised the VDOT district traffic engineer recommends no change in the speed limit at this time.

2. Request for New Traffic Signal Devices to be equipped with Opticom Traffic Preemption Systems

The Board requested VDOT require the opticom system for installation at the new traffic signal on Route 114, Pepper's Ferry Boulevard, particularly to allow for egress from the Fairlawn Fire and Rescue Station, with the expense to be borne by the new shopping center developer. County staff was requested to obtain the cost of the installation of the system, per vehicle and per traffic signal.

3. Potholes, Rt. 611, Newbern Road, at Left Turn on Rt. F047, Kirby Road

The Board expressed concern regarding the need for assistance with potholes on the northwest corner on this road. VDOT will review the matter and report back to the Board at a future meeting.

4. Rt. 100, Cleburne Blvd., Rt. 1030 Bagging Plant Road Traffic Signal

VDOT was requested to restudy this matter and report back to the Board at its January meeting.

5. Rt. 601, Little Creek Road, Status

VDOT reported the contract was awarded to Woodyard Brothers at a cost of about \$640,000 and under budget, with the notice to proceed to be issued in January. Further, VDOT reported the Rt. 739, Beaufort Hollow Road, contract was awarded at \$135,900.

6. Guardrail Request, Rt. 612, Creek Road

VDOT was requested to add this request to the guardrail list and review at the same time as other requests are reviewed.

7. Update on Rt. 693, Lead Mines Road & Rt. 672, Baptist Hollow road, drop off & Rt. 663, Owens Road, Sharp Curve Maintenance

VDOT advised this matter was currently under review. An update will be provided at a future meeting.

8. Status of One Railroad Crossing in Dublin in Lieu of Rt. 633, Powell Avenue, and Rt. 617, Ruebush Road, Existing Grade Crossings

VDOT reported an overpass at the current location is not feasible. Supervisor Fariss requested the matter be reviewed further east and an engineering study be undertaken by VDOT.

9. Landfill Road Acceptance

It was moved by Mr. White, seconded by Mr. Cook and carried, that the following resolution be approved establishing a \$100,000 bond for the New River Solid Waste Management Area access road and accepting road, subject to concurrence of the New River Resource Authority:

WHEREAS, the street described below was established and constructed in accordance with Virginia Department of Transportation specifications and standards by the Pulaski County Solid Waste Authority to serve the public as an access to the current landfill;

NOW THEREFORE BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to Section 33.1-229 of the Code of Virginia:

Name of Street: Cloyd's Mountain Road Length: 2.55 miles
From: Intersection of Route 100
To: Turn-Around
Guaranteed Right of Way Width: 60 feet
Plat Recorded: Date: 11/14/94 - Deed Book: 548 - Page: 208

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way along with easements as described above.

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. Cook, Mr. Sheffey, Mr. White,
Mr. Conner.

Voting no: none.

b. Rt. 658, Delton Road, Lack of Barrier

The assistant resident engineer advised the citizen expressing concern regarding this matter had been contacted directly by VDOT. VDOT advised it would add this section of road to current guardrail list for future review.

c. Allisonia Area New River Trail Access

It was moved by Mr. White, seconded by Dr. Fariss and carried, that the Board approve the plan as presented to use the grant from VDOT for improved access to the trail at the current Department of Game and Inland Fisheries Boat Ramp site.

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

Voting no: none.

d. Citizen Concerns

There were no citizen comments.

e. Board of Supervisors

Supervisor Fariss expressed concern regarding weight limits on the bridge at Rt. 693, Julia Simpkins Road, and the prohibiting of snow removal due to weight limits.

Supervisor Fariss requested a study of the Route 761, Cripple Creek Road, reopening or maintenance into Wythe County.

Supervisor Conner inquired regarding the delay in improvements to Route 100, Cleburne Boulevard. VDOT confirmed the project has been shut down due to a design error regarding right-of-way location.

Supervisor Cook expressed concern regarding the shoulder deterioration on the north side of Cloyd's Mountain on Route 100 Cleburne Boulevard. VDOT was requested to provide the County Administrator's Office with an update.

4. 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.

5. Car Tax Rebate/Credit Procedure Presentation

Treasurer Tickle and Deputy Commissioner Gary Hall explained the new responsibilities of the Treasurer and Commissioners offices with the car tax rebate. Further, a presentation on the credit procedure was given.

The Board requested an update on the car tax rebate procedures by its December, 1999 meeting.

6. Citizens Comments

There were no citizen comments.

7. Reports from the County Administrator & Staff:

a. Board of Supervisors Accomplishments Presentation

Assistant County Administrator Peter Huber presented a report on the Board of Supervisors accomplishments.

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve staff reviewing the need for an adjacent New River Valley Airport parallel runway.

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

Voting no: none.

The Board requested the Board of Supervisors accomplishments report be placed on the Internet, Cable TV Government Access Channel and publication in the local newspapers, if possible.

b. American Electric Power (AEP) 765 kV Route Tour

The Board agreed to participate in helicopter flights offered by AEP to tour the route study area.

c. PCHS Roof/Chiller Repair Loan

The Board took no action on this matter.

d. Key Activity Timetable

The Board reviewed the Key Activity Timetable (KATT) as presented by staff.

e. Appointments:

1. Board of Zoning Appeals Alternates
2. Pulaski County Telecommunications Advisory Committee
3. Ratcliffe Museum Expansion Committee

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

8. Items of Consent:

It was moved by Mr. Conner, seconded by Mr. Cook and carried, that the Board approve the following items of consent, unless otherwise noted:

a. Minutes of November 23, 1998

The Board approved the minutes of November 23, 1998 as presented.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 21812 through 22167.

c. Appropriations & Transfers

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

1. Interoffice Transfer #6 - \$41,621.63

2. FY 99 Supplement General Fund Appropriation #7 - \$79,478.10

Revenues:

1603-03 Seized Assets Comm. Attorney	\$	2,028.10
1899-65 C.E. Richardson Grant – DARE		2,700.00
1615-12 C.E. Richardson Grant – Library		3,000.00
2404-30 Victims Assist. Grant		19,763.00
2404-38 VJCCA – Additional Funds		11,654.00
2404-48 Comm. Oriented Justice/Byrne Prog.		34,624.00
Total	\$	73,769.10

Expenditures:

2201-7001 Comm. Attorney – Seized Assets	\$	2,028.10
Equipment		
3102-5427 Sheriff's Dept. – DARE C.E. Richardson		2,700.00
5338-5606 Victim's Assist. – Grant		19,763.00
5362-3009 VJCCA – Purchase of Govt. Services		7,103.00
5362-5401 VJCCA – Office Supplies		1,650.00
5362-5501 VJCCA – Mileage		551.00
5362-5504 VJCCA – Other Misc.		700.00
5362-7001 VJCCA – Machine & Equipment		1,650.00
3307-300908 Comm. Oriented Justice/Byron Prog.		35,274.00
7301-7001 Library – Equipment C.E. Richardson		3,000.00
9104-5804 Erroneous Assessments – Refunds		4,000.00
9310-5804 Revenue Refunds – Other		37.00

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9310-582301 Revenue Refunds – Bldg. Permit	100.00
State Fee	
9310-5825 Revenue Refunds – Co. Decals	27.00
9310-5827 Revenue Refunds – Other Agencies	<u>895.00</u>
Total	\$ 79,478.10

3. Capital Improvement Fund Appropriation #3 \$48,761.00

Revenue:

2308-01 State Technology Funds – Clerk’s Off.	\$ 28,088.00
5102-00 Transfer from General Fund	<u>20,673.00</u>
Total	\$ 48,761.00

Expenditures:

020 2106-7126 Clerk’s Office – Optical Imag.	\$ 28,088.00
020 3212-700511 Snowville Vol. Fire – Pumper	<u>20,673.00</u>
Total	\$ 48,761.00

d. Ratification:

1. Contracts

There were no contracts at this time.

2. Change Order:

◆ Riverwood Subdivision Planting Contract - \$6,886

The Board ratified the contract proposal by Meadowbrook Gardens to provide plantings around the Riverwood Subdivision water tank.

3. Agreements:

◆ Landscaping at Claytor Lake Sewer Pump Station

The Board ratified an agreement with Meadowbrook Gardens to provide landscaping at the Claytor Lake sewer pump station on Ebb Hall Road, Rt. 806.

4. Other:

a. Department of Criminal Justice Services Grant \$13,880.00

The Board ratified acceptance of the grant award in an amount of \$13,000.

b. C. E. Richardson – Library Grant - \$3,000

The Board ratified acceptance of the grant award in an amount of \$3,000.

c. C. E. Richardson – Sheriff’s Dept. Grant - DARE Program - \$2,700

The Board ratified acceptance of the grant award in the amount of \$2,700.

e. Personnel Changes

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

f. Underground Gasoline Storage Tank Removal

The Board approved an additional \$1,950 for removal of the 1,000 gallon fuel storage tank at the Dublin Fire Department.

g. Virginia Mountain Housing New Enterprise Fund Support

The Board expressed support for the Community Development Block Grant (CDBG) funding for the New Enterprise Fund.

h. Confined Space Entry Policy

The Board approved the Confined Space Entry Policy as follows:

**COUNTY OF PULASKI
CONFINED SPACE STANDARD**

Scope and Application

This section prescribes the basic mandatory practices and procedures which Pulaski County employees will follow for employee entry into and work within confined spaces.

Preparation

Entry into a confined space shall not be made unless the Utility Maintenance Supervisor has assured that the following procedures have first been completed.

A. Definition

It is important to understand that to be a "confined space" an area must fit all three of the following descriptions:

1. It is not intended for continuous employee occupancy;
2. It has a limited means of egress; and
3. It must be subject to either the accumulation of an actual or potentially hazardous atmosphere or have a potential for engulfment (particulate matter or liquid could surround a person before a normal exit can be affected).

If the space does not fit all three descriptions above, it is not a confined space and the standard does not apply.

B. General Provisions

1. Training - All Pulaski County employees who will be entrants will be trained in the hazards of working in confined spaces and at least one "qualified person" will be selected and trained. Only a "qualified person" can evaluate the hazards of each confined space to be entered, specify necessary safety control measures, and determine if conditions permit an unattended entry. When appropriate, all employees will be trained and designated as "qualified persons" and make unattended (solo) entries.

2. Rescue Teams - Pulaski County Rescue Squad and New River Valley Emergency Squad. The team is trained in the use of all equipment it will use in a rescue, all members hold certification in first-aid and CPR (cardiopulmonary resuscitation). Every year the rescue team will practice removing a victim through openings similar to those in actual use.

3. Permit System - It is the responsibility of each applicable supervisor that the County's entrance permit be completed. The established permit system which insures that a permit is written for every entry into a confined space is attached. The permit, which may be discarded after the entry, must be completed for each confined space project. The permit will provide the following information

- a. The minimum environmental conditions acceptable for entry and work in the confined space;
- b. A record of atmospheric test results;
- c. The last calibration date for the oxygen detector and combustible gas indicator used;
- d. The signature of the qualified person responsible for securing the permit and reviewing conditions prior to entry;
- e. A written description of the location and type of work to be done; and
- f. The time of issue and of expiration (a maximum of 12 hours apart with one 12-hour extension).

C. Preparation

All of the steps listed below will be taken as appropriate before each confined space entry including

1. All pumps and lines conveying hazards must be effectively isolated to prevent air contamination or oxygen deficiency within the space;
2. All fixed mechanical equipment capable of causing injury must be placed at zero mechanical state, and electrical equipment other than lighting must be locked out or tagged if locking-out is impossible
3. The confined space must be emptied of all hazardous or flammable substances to the extent feasible;
4. Immediately prior to entry the "qualified person" must assure that the space is tested for oxygen level, potential flammable hazard, and toxic material; and
5. If the tests show the existence of a hazardous atmosphere, the space must be mechanically ventilated or entrants must wear specific protective equipment.

D. Entry Requirements

1. Unattended Entry - If the space has neither the potential for engulfment nor an IDLH (Immediately Dangerous to Life or Health) atmosphere, the "qualified person" (Utility Maintenance Supervisor) may enter or allow other employees to enter the space unattended. In addition, the "qualified person" (Utility Maintenance Supervisor) must determine whether mechanical ventilation is also needed

2. Attended Entries - If the confined space has a hazardous or IDLH atmosphere or a potential for engulfment, a number of safety precautions will be taken including

- a. A trained attendant without other duties must be stationed immediately outside while employees are in the confined space
- b. The "qualified person" must test the atmosphere no less frequently than hourly and record the results on the entry permit;
- c. All entrants will use retrieval lines (unless the lines could cause a hazard) or wear an approved positive-pressure, self-contaminated breathing apparatus if there is an IDLH or hazardous atmosphere only. Hoisting devices must be used if the entry is through a top opening;
- d. If there is an IDLH or hazardous atmosphere, there must be either a positive-pressure, self-contained breathing apparatus or a combination positive-pressure, air-line respirator with an auxiliary self-contained air supply immediately outside the space entrance.

DEFINITIONS

The following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise.

Attendant - An individual with no other duties assigned to remain immediately outside the entrance to the confined space and who may render assistance as needed to employees inside the space.

Blind or Blinding or Blanking - The absolute closure of a pipe, line or duct, to prevent passage of any material (e.g. by fastening a solid plate or "cap" across the pipe)

Confined Space - Any space not intended for continuous employee occupancy, having a limited means of egress, and which is also subject to either the accumulation of an actual or potentially hazardous atmosphere or a potential for engulfment. Confined spaces generally include, but are not limited to storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, manholes, underground utility vaults, acid tanks, digesters, ovens, kiln, pulpers, tunnels, and pipelines. Open top spaces more than four (4) feet in depth such as pits, tubs, vaults and vessels may also be confined spaces if the above criteria is met

Engulfment - The surroundings and effective capture of a person by finely divided particles of matter or liquid. There is a potential for engulfment when such particles, matter or liquid exists in a sufficient quantity or at a sufficient pressure to surround a person before normal exit can be effected.

Entrant - Any employee who enters a confined space.

Entry - Any action resulting in any part of the employee's face breaking the plane of any opening of the confined space, and includes any ensuing work activities inside the confined space

Hazardous Atmosphere - An atmosphere presenting a potential for death, disablement, injury, or acute illness from one or more of the following causes.

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- a. flammable gas, vapor, or mist in excess of 10% of its lower flammable limit (LFL)
- b. an oxygen deficient atmosphere containing less than 19.5% oxygen by volume or an oxygen enriched atmosphere containing more than 23% oxygen by volume;
- c. an atmospheric concentration of any substance listed In Subpart Z of Part 1910 Standards above the listed numerical value of the permissible exposure limit (PEL) ; or
- d. a condition immediately dangerous to life or health.

**COUNTY OF PULASKI
CONFINED SPACE ENTRY PERMIT**

Date: _____

Time to Start: _____

Department: _____

Time Job Completed: _____

Work Description: _____

Personnel Involved: _____

THIS PERMIT IS VALID FOR ONLY ONE SHIFT AND MUST BE COMPLETED PRIOR TO STARTING WORK.

ANSWER ALL QUESTIONS	YES	NO	DOES NOT APPLY
1. All employees involved have been informed of precautions.			
2. Necessary safety equipment on hand and used:			
a. Blower			
b. Air Quality Monitor			
c. Respiratory Protection			
d. Personal Protective Clothing			
e. Harness and Life Line			
f. Barrier or Warning Sign			
g. Low Voltage Lighting			
h. Fire Extinguisher			
i. Hearing Protection			
j. Glasses, Goggles, Face Shield			
k. Other (Specify)			
3. Power source disconnected and locked out			
4. Agitators, pumps, lines, or valves disconnected, blanked and locked out			
5. Vessel emptied, drained, purged, flushed prior to entry			
6. All ports available to be opened to provide circulation			
7. Additional hazards and precautions (explain)			
8. Air monitor zeroed and checked			
9. Results of Initial Air Monitoring Percent of Oxygen _____ % Percent LEL of Flammable Vapors _____ % PPM of Hydrogen Sulfide _____ % Monitoring will be continuous while in the vessel.			
10. Forced ventilation started prior to entry and kept on while workers are in vessel.			
11. Welding or cutting to be performed in vessel.			
12. Welding Permit Completed			

I HAVE INSPECTED EACH REQUIREMENT ON THIS PERMIT AND STATE THAT THIS WORK CAN BE DONE SAFELY AND IN COMPLIANCE WITH THE RULES OF THE COUNTY CONFINED SPACE ENTRY POLICY.

Area Supervisor _____

Maintenance Supervisor/Project Engineer _____

Confined Space Worker _____

Confined Space Worker _____

Further, staff was requested to compare the policy to the Radford Army Ammunition Plant policy for possible improvements.

i. Scheduling of Public Hearings for January Meeting:

1. Amendment to Erosion & Sediment Control Ordinance

The Board deferred action on advertising for a public hearing on amendment to the ordinance, pending County Attorney clarifying Section 4-5 of the ordinance as to whether Section 4-5 is more excessive than the Commonwealth of Virginia mandate and whether Section 6-2 conflicts with Section 4-5. The county engineer was requested to assist the county attorney with the review.

Staff was requested to place an update on this matter on a future Board agenda.

2. CDBG Application

The Board approved staff advertising for a public hearing to be held at its January 25, 1999 meeting.

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

Voting no: none.

9. Citizen Comments

There were no citizen comments at this time.

10. Other Matters from Supervisors

Supervisor Conner advised of litter accumulating along Route 100, Cleburne Boulevard, between Dublin and the New River Regional Solid Waste Management Area landfill. Staff advised the Sheriff plans to remove litter from the roadside and further advised the Clean Community Council has approved funding for selective enforcement by the Sheriff's Office of vehicles littering this area.

11. Executive Session – 2.1-344(A)

It was moved by Mr. White, seconded by Mr. Cook 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, Mr. Conner.

Voting no: none.

Return to Regular Session

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board of Supervisors return to regular session.

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

Voting no: none.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. White, seconded by Mr. Cook 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.

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve the following matters:

Personnel

Approval of a salary increase of \$3,000, effective January 1, 1999, for the Recreation Coordinator;

Approval of an agenda for the January 19 Recreation Study Committee meeting to be held at 6:00 p.m. at the County Administration Building;

Authorization to advise Claytor Lake State Park Superintendent Johnson that the county can assist with Pioneer Maid vessel disposal upon transfer of clear title on land or after salvage of any useful components and consideration of using remaining vessel hull for beneficial aquatic habitat;

Authorization to advise AEP Hydro Manager Mike Thacker that the Board no longer wishes to take over Max Creek lake access site; and

Appointments

1. Board of Zoning Appeals Alternates – The Board nominated Charles Ward, Mike Cox and Donald Shelor as alternates to the Board of Zoning Appeals Board.
2. Pulaski County Telecommunications Advisory Committee – The Board requested the Chairman send a letter of appreciation to Bridgete Franklin. The Board further appointed NRCC representative Jose Melendez to fill the vacancy created by Ms. Franklin.
3. Ratcliffe Museum Expansion Committee – The Board made no appointment to this committee. Staff was requested to send a letter of thanks to the committee for the invitation.

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

Voting no: none.

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve the following matters:

Legal

Requesting the Commissioner of Revenue office to be alert to possible car inventory storage at beginning of the year on space in the county such as the New River Valley Speedway in an attempt by adjacent county car dealerships to avoid Merchant's Capital Tax, as well as pursuing all potential for taxing such inventory.

Scheduling a public hearing for disposition of Pulaski Theatre property at its January 25, 1999 meeting.

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

Voting no: none.

12. Adjournment

It was moved by Mr. White, seconded by Mr. Conner and carried, that the Board adjourn to reconvene at a meeting to be held on Wednesday, December 30, 1998 at noon at Supervisor Bruce Fariss's office in Radford, Virginia.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Joseph N. Morgan, Clerk