

PULASKI COUNTY BOARD OF SUPERVISORS – May 24, 1999

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 24, 1999 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; Dr. Bruce L. Fariss; Charles E. Cook; Jerry D. White; and Frank R. Conner. Staff members present included: County Administrator Joseph N. Morgan; County Attorney Thomas J. McCarthy, Jr.; Assistant County Administrator Peter M. Huber; Executive Secretary Gena T. Hanks; and Nancy M. Burchett, Management Services Director.

1. Invocation

The invocation was given by County Attorney, T. J. McCarthy, Jr.

2. Additions to Agenda

The Board reviewed additions to agenda and accepted them as presented.

3. Public Hearings

a. FY 00 Budget

The County Administrator reviewed with the Board of Supervisors and citizens present the FY 00 budget ad, as well as expenditure and revenue charts.

Chairman Sheffey opened the public hearing on the FY 00 budget.

Ms. Angela Clevinger, a teacher at Riverlawn Elementary School, requested the Board to provide funding for new math textbooks. She advised these new books would assist staff and students in meeting the new standards of learning requirements in the future.

Ms. Barbara Bowles, Vice-President of the NRV Literacy Volunteers, expressed appreciation for the past and present support from the county to the NRV Literacy Volunteers. She advised this year will mark the 20<sup>th</sup> anniversary of the organization in the New River Valley. Further, she reported the opening of a satellite office in Pulaski County at the Trinity Lutheran Church on June 29, 1999.

There being no further comments heard; Chairman Sheffey closed the public hearing. Chairman Sheffey advised that action on the FY 00 budget will be taken by the Board of Supervisors at their next regularly scheduled meeting set for June 28, 1999.

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors requested staff to publish appropriate budget charts in the Southwest Times as convenient.

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

b. Proposed amendments to the Zoning Ordinance

Assistant County Administrator, Peter Huber, reviewed with the Board the following proposed amendments to the Zoning Ordinance:

1. Revision of Sections 18-5.5 and 18-5.6 regarding requirements for mobile home parks.
2. Revision of Sections 2-3 and 2-4 regarding manufactured homes and the number of residences allowed in the Agricultural (A1) District.
3. Addition of Article 5E: Townhouses, to establish criteria for development of townhouses.
4. Amendment to all zoning districts regarding setback requirements for accessory buildings on lots joining Claytor Lake.
5. Amendment to all zoning districts regarding exemptions for private tanks and pump stations (above ground).

Mr. Huber advised the Planning Commission recommended approval of the above proposed amendments.

Chairman Sheffey opened the public hearing on this matter.

No comments were heard; therefore, the public hearing was closed.

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board approved the following amendments to the Zoning Ordinance per the recommendation of the Planning Commission.

**1. Revision of Sections 18-5.5 and 18-5.6 regarding requirements for mobile home parks.**

*These revisions make it possible to place accessory buildings in manufactured home parks and easier to replace smaller mobile homes with larger units in established manufactured home parks.*

**Manufactured Home Park Rewrite  
Revisions of Sections 18-5.5 and 18-5.6**

18-5.5 Building Line

~~The setback line for mobile home parks shall be seventy-five (75) feet from the right-of-way of exterior public streets and roads.~~

18-5.6 Front, Rear, and Side Lines

~~18-5.6.1 The side lines of lots will be approximately at right angles, or radial to the street line. Minimum setback from the front lot line of an individual mobile home rental lot shall be thirty-five (35) feet from the center of the street serving the lot.~~

~~18-5.6.2 Minimum setback from the rear and side lot lines of an individual mobile home rental lot shall be twelve (12) feet.~~

~~18-5.6.3 Minimum side and rear lot lines for the mobile home park shall be twenty-five (25) feet. Side yard encroachment by decks, patios, etc., that are without roofs, shall be no greater than six (6) feet from individual mobile home rental lot lines.~~

*18-5.6.1 All mobile home parks, when viewed as a whole park and without regard to orientation of individual mobile home units within the park, shall have a minimum front yard setback of seventy-five (75) feet as measured from the adjoining street right of way to the nearest mobile home dwelling, and a minimum side yard and rear yard setback of twenty-five (25) feet as measured from the exterior side and rear property lines to the nearest mobile home dwelling.*

*18-5.6.2 Interior setbacks between individual mobile homes and interior access drives for those mobile homes are as follows:*

- a. **Front setback** of thirty-five (35) feet as measured from the mobile home to the center of the access drive.*
- b. **Side setback** of twelve (12) feet as measured from the mobile home to the lot line (where established) or twenty-four (24) feet to the nearest adjacent mobile home.*
- c. **Rear setback** of twelve (12) feet as measured from the mobile home to the lot line (where established) or twenty-four (24) feet to the nearest adjacent mobile home.*

*All minimum setbacks or separation distances listed above represent the desired minimum setbacks or separation distances and shall be used to determine the maximum size mobile home unit that would be suitable in a particular location within the mobile home park under the then prevailing conditions. If, after placement of a mobile home it is determined that, due to inexact placement, these minimum setbacks or separation distances have not been met, but could have been met, then the Zoning Administrator may grant an occupancy permit if the encroachment into the minimum setback is no more than one (1) foot.*

**18-5.6.3** ***Accessory structures** may be located in the side and rear yards and shall be five (5) feet from the property line (where established) or twelve (12) feet from the nearest adjoining mobile home. An accessory structure in this context refers to unenclosed porches, stoops and decks, either roofed or open to the sky. Fully enclosed decks, porches, Florida rooms, mud rooms or similar structures/additions that have direct communication the manufactured home shall be considered part of the principal structure for purposes of determining setbacks.*

*Other enclosed structures such as exterior storage or utility buildings shall be located in rear yard areas and shall be located five (5) feet from the property line (where established) or twelve (12) feet from the nearest adjoining mobile home. If, in the opinion of the Zoning Administrator, such exterior storage or utility buildings cannot be placed in the rear yard because of terrain considerations or setback problems, the Zoning Administrator may allow such structures in the side yard if all other necessary setbacks are met. Any such placement of exterior storage or utility building in the side yard shall require written documentation of the specific terrain/setback problems. The written documentation shall be provided to the Zoning Administrator by the applicant.*

**18-5.6.4** *Existing mobile home parks built before the effective date of this ordinance are required to comply with the minimum setbacks enumerated above whenever new mobile home units are placed within the park. The mobile home park owner may apply for a Special Use Permit to allow reduced front, side and rear setbacks or, in the cases where lots are not established, separation distances. Such a Special Use Permit application must be accompanied by a Mitigation Plan that addresses how the owner intends to mitigate the reduction of private yard space.*

*The Mitigation Plan shall as a minimum depict access and circulation for vehicular and pedestrian traffic, total number of mobile homes (existing and proposed), general orientation of the mobile homes, number, size and paving material for parking areas and roadways, exterior property lines, fixed structures, location of utilities services, refuse collection areas, screening plan for same, location and size of common open space area or recreation area.*

*Favorable consideration of the Special Use Permit shall be based on the extent and nature of the improvements depicted in the Mitigation Plan. The Mitigation Plan should include some or all of the following design elements: a site that promotes slow speed traffic, provide dust free driveways, provide an average of two (2) parking spaces per unit, provide a typical separation between units of fifteen (15) feet, and four (4) feet between units and parking areas, and twelve (12) feet between units and accessory building attached to or associated with the adjoining unit, allow for inexact placement of mobile home units without creating setback problems, active play grounds or other improved open spaces, such as landscaped buffer strips, public sewer and water facilities, underground utilities and strategic location of open space to protect the community view shed.*

2. **Revision of Sections 2-3 and 2-4 regarding manufactured homes and the number of residences allowed in the Agricultural (A1) District** – *Eliminates need for Special Use Permit for placement of up to two manufactured homes per lot in agricultural districts provided the property could be subdivided by right and utility services are available.*

**Manufactured Homes and the Number of Residences Allowed in  
Agricultural (A1)  
Revisions of Sections 2-3 and 2-4**

Delete the following from Agricultural (A1) District:

**2-3 Uses Permitted by Special Use Permit (SUP) Only**

~~Manufactured Homes, Multiple: Two (2) manufactured homes allowed on one (1) lot, provided there is enough land to support future subdivision of a lot.~~

Add the following in Agricultural (A1) District:

**2-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Dwelling, Second Single-Family: A single family dwelling (manufactured home, or garage apartment, or other approved unit), in addition to the principle dwelling under exceptional circumstances where the use will be discontinued/removed upon termination of the reason for granting the permit. The lot shall be at least one and one-half times the minimum area normally required for two lots, and shall meet all requirements for future subdivision of the lot, including normal setback and side yard requirements.*

**2-4 Area Regulations <sup>1</sup>**

For lots in the Agricultural District (A-1), the minimum lot area shall be thirty thousand (30,000) square feet per lot, *per residence* and based on utilities available. *Second and additional residences per lot must be approved for separate utility services. If two or more residences utilize a shared well or septic system, a Va. Dept. of Health permit shall be required for the actual connection used.*

3. **Addition of Article 5E: Townhouses** - *Establishes criteria for development of townhouses.*

**Townhomes (5E) Article**

**Addition to the Ordinance of Article 5E: Townhouses**

**ARTICLE 5E: TOWNHOUSES**

**Statement of Intent**

*It is the intent of this section that townhouses, in areas where they are permitted, may be appropriately intermingled with other compatible types of residential housing. They shall constitute groupings of not less than three (3) and not more than ten (10) efficient, economical, comfortable and convenient arrangements of buildings and yards. Townhouse development shall meet the requirements of the Pulaski County Subdivision Ordinance.*

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**5E-1            Definitions**

*Townhouse: One of a series of from three to ten attached single-family dwellings designed to be offered for sale or sold as a unit, separated from one another by continuous vertical walls without openings from foundation through the roof. The lots or assigned land area, utilities and other improvements for each "Townhouse" would be designed to permit individual and separate ownership of such lots and dwelling units.*

*Common area:        If a townhouse development includes common areas in addition to the townhouse lots, the common areas shall be maintained by and be the sole responsibility of the developer-owner of the townhouse development until such time as the developer-owner conveys such common area to a nonprofit corporate owner whose members shall be all of the individual owners of the townhouses in the townhouse development. Said land shall be conveyed to and held by said nonprofit corporate owner solely for recreational and parking purposes of the owners of the individual townhouse lots in the development. In the event of such conveyance by the developer-owner to a nonprofit corporate owner, deed restrictions and covenants, shall provide, among other things, that any assessments, charges for cost of maintenance of such common areas shall constitute a pro-rata lien upon the individual townhouse lots. Maintenance to townhouse exteriors, lawns, special lighting and drainage shall be provided in a manner so as to discharge any responsibility for the County of Pulaski.*

**5E-2            Permitted Areas**

*Townhouses shall be permitted in the Residential District (R-2), Residential District (R-3), and Planned Unit Development (PUD) as defined in this article.*

**5E-3            Area and Density**

*The minimum lot area for a townhouse shall be 1,800 square feet. The maximum density of townhouses shall be ten units per gross acre.*

**5E-4            Recreation Area**

*Each development site containing more than eight (8) dwelling units shall be provided with common recreation area of not less than ten (10) percent of the area of the development site. Such area shall be accessible to all units and improved for active or passive recreational use by residents of the development.*

**5E-5 Frontage Regulations**

*The minimum lot width at the setback line shall be eighteen (18) feet.*

*Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least twenty (20) feet in width for vehicular access or ten (10) feet in width for pedestrian access. These easements shall be in addition to side yard requirements set forth in Section 5E-7.*

**5E-6 Front Yard Regulations**

*The minimum front setback shall be twenty (20) feet and the facades of the townhouses in a group shall be varied by changed front yards and variations in materials or designs so that no more than two abutting townhouses will have the same front yard setback. Variation in setback shall be at least three (3) feet.*

**5E-7 Side Yard Regulations**

*The minimum side yard adjoining or adjacent to an exterior property line or a public right-of-way shall be twenty (20) feet for the end residence within each group. Where a group of townhouses adjoin a private drive or parking area or walkway intended for the common use of townhouse occupants, a side yard of not less than ten (10) feet in width shall be provided. A minimum distance of twenty (20) feet shall separate the end units of any two groups or rows of townhouses.*

**5E-8 Rear Yard Regulations**

*There shall be a minimum rear yard of thirty (30) feet or more on all lots. Rear yards shall be screened with a privacy type fence or wall of seven (7) feet minimum height and extending not less than twelve feet from the rear building wall. An accessory building not exceeding ten (10) feet by ten (10) feet and not exceeding twelve (12) feet in height may be constructed in any rear yard.*

**5E-9 Height Regulations**

*The maximum height of all townhouses shall be limited to three (3) stories or thirty-five (35) feet.*

**5E-10      *Separation Requirements***

*Each townhouse shall be structurally separated from adjacent townhouses as required by all applicable State and/or local fire and building regulations.*

**5E-11      *Off-Street Parking Requirements***

Required off-street parking spaces of at least two (2) spaces per townhouse shall be provided on the individual lots or within a common area maintained by the nonprofit commons association or the developer-owner as described in 5E-1.

- 4. Amendment to all zoning districts regarding setback requirements for accessory buildings on lots joining Claytor Lake – *Allows placement of accessory structures closer to Claytor Lake***

**Lakefront Setback  
Revision of Setback Requirements for all Zones**

**Setback Requirements**

Rear Lot Line: Twenty-five (25) feet for main buildings; ten (10) feet for accessory buildings.

*Exception: For lots where the rear lot line also joins Claytor Lake, the ten (10) feet setback requirement for **accessory buildings** may be waived by the Zoning Administrator.*

- 5. Amendment to all zoning districts regarding exemptions for private tanks and pump stations (above ground) – *Provides exemption from Special Use Permit requirements for placement of above ground storage tanks for agricultural and residential uses.***

**Above Ground Tanks  
Revision to allow Exemptions for Above Ground Tanks Requiring SUP**

**ADD TO ALL ZONING DISTRICTS:**

**Uses Permitted by Special Use Permit (SUP) Only**

- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.<sup>2</sup>

*Exempt from these requirements are:*

- a. tanks eight (8) feet in height or less intended to serve single-family residences for water and/or heating fuel, and*
- b. tanks eight (8) feet in height or less **and** 1,000 gallons or less for agricultural uses.*
- c. Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.*

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

Voting no: none.

c. Proposed amendments to the Subdivision Ordinance

Assistant County Administrator, Peter Huber, reported the Planning Commission recommended an amendment to the Subdivision Ordinance Section 3-1.4, Townhouse and Condominium Subdivisions, to complement Article 5E: Townhouses, of the Pulaski County Zoning Ordinance.

Chairman Sheffey opened the public hearing on this matter.

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

On the motion of Mr. White, seconded by Mr. Cook and carried, the Board of Supervisors approved the following amendments to the Subdivision Ordinance, per the recommendation of the Planning Commission:

**Amendments to the Subdivision Ordinance – Amends Section 3-1.4, Townhouse and Condominium Subdivisions, to allow for implementation of Article 5E: Townhouses, of the Pulaski County Zoning Ordinance.**

**AMENDMENT TO SECTION 3-1.4 OF SUBDIVISION ORDINANCE IS  
REQUIRED TO COMPLEMENT ARTICLE 5E: TOWNHOMES IN THE  
ZONING ORDINANCE**

ADDITIONS NOTED IN ITALICS AND DELECTIONS NOTED BY STRICK-THROUGH

3-1.4 *Townhouse and Condominium Subdivisions*

Townhouse and Condominium Subdivisions shall meet all the requirements outlined for standard subdivisions. However, the Planning Commission may approve such subdivisions with:

1. Reduced ~~side~~ yard requirements,
2. Reduced lot size restrictions, and
3. Side lot lines that are not perpendicular or radial to the street line.
4. Reduced lot width at the setback requirements.
5. *Lots need not abut or adjoin a public street right-of-way, provided vehicular or pedestrian access is provided to a public street right-of-way through a perpetual unobstructed paved easement or parking area of at least twenty (20) feet in width or vehicular access or ten (10) feet in width for pedestrian access. These easements shall be in addition to side yard requirements set forth in 5E-7 of the Pulaski County Zoning Ordinance.*

Townhouse and condominium subdivisions must also meet the following requirements:

1. The plat clearly indicates that the subdivision is a Townhouse or Condominium Subdivision.
2. Adequate parking areas are provided and shown on the plat.
3. Adequate water and sewage treatment facilities are available.

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

- d. Condition of clean-up of property and unsafe structure owned by Jesse James Smith, identified as tax map parcel 128-001-0000-0016. 0.50 acre, zoned Agricultural (A1), located on the north side of Farris Mines Road (Rt. 693), approximately 800 ft. west of the Duncan Rd. (Rt. 659) intersection, Ingles District.

County Administrator, Joseph N. Morgan, advised the above listed property continues to be in violation of county ordinances. He reported after the public hearing is held, the Board may request an estimate for the clean-up of said property in order to comply with county ordinances.

Chairman Sheffey opened the public hearing on this matter.

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Mr. Jesse Smith, owner of the above listed property, advised he had made some clean-up efforts on the property. He reported the only items, which had not been cleared, were the rocks, a stack of wood, a tank and an old building.

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

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors approved allowing the above listed property owner an additional 30 days to bring said property into compliance with county ordinances.

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

- e. A request by Bennett R. and Shirley B. Medley and Gary D. and Vicky R. Meade to vacate a right-of-way of an unopened portion of Fair Acres Street perpendicular to Cypress Avenue (Rt. 1029), and adjacent to property identified by tax map parcels 056-002-0004-0006 and 056-015-0000-0005, located on the north side of Cypress Avenue (Rt. 1029) in the Fair Acres Subdivision, Draper District.

Assistant County Administrator, Peter Huber, advised the Planning Commission recommends approval of the above request. He further reported that a community meeting had been held with no opposition to the vacation of the right of way.

Chairman Sheffey opened the public hearing on this matter.

Mr. Gary Meade requested the Board approve the request to vacate the above noted right of way, and advised he was present to answer questions.

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

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors approved the above request as recommended by the Planning Commission.

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

4. Highway Matters:

Virginia Department of Transportation (VDOT) Resident Engineer, Dan Brugh, and Assistant Resident Engineer, Dale Stancil, met with the Board and discussed the following matters:

a. Follow-up from Previous Board meeting:

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

Mr. Brugh reported VDOT was still working on the above matter but hoped to have a response by the August meeting of the Board.

2. Rt. 643, Cougar Trail Road, Potholes

Mr. Brugh advised VDOT had repaired the potholes on Rt. 643; however, Supervisor Conner requested additional attention to the area in front of the Pulaski County High School at the Mountain View Subdivision access.

3. Traffic Signal or Other Safety Improvement, Rt. F047, Old Route 100/Cleburne Boulevard & Rt. 611 Newbern Road/Wilderness Road

Mr. Brugh reported VDOT is proceeding in conducting a traffic warrant study for a possible traffic signal at the above location. He advised he hoped to have the study results back by the next regular Board of Supervisors meeting.

4. Maintenance Needs on Curve of Rt. 605, Little River Dam Road, between Rt. 690, Shelburne Road, and Rt. 810, Burma Road

Mr. Brugh advised the cost of the above maintenance improvement to be approximately \$15,000. He further reported this would be a six year plan item.

5. Rt. 622, Dudley Ferry Road, Maintenance

Mr. Brugh reported the above maintenance had been completed by VDOT.

6. Rt. 755, Depot Road, Rural Addition Extension Right of Way

Mr. Brugh advised that VDOT would consider improvements at the train underpass even if needed right-of-way on the curves of the above road cannot be obtained. Mr. Brugh was requested to have Larry Day of VDOT staff contact Chairman Sheffey individually regarding this matter.

7. Falling Branch Road and New River Neighborhoods Roads, Upgrading Status

Mr. Brugh reported this project will be on the next available ad with the contractor to start work on the project in the fall.

8. Rt. 627, Hazel Hollow Road, Patching

Mr. Brugh advised the above patching had been completed by VDOT.

9. Rt. 807, Slaughter House Road, Grading

Mr. Brugh advised the above grading had also been completed by VDOT.

10. Widening of Rt. 600, from Rt. 114 to intersection of Rt. 623

Mr. Brugh reported the approximate cost of the above road widening to be \$225,000. He advised this project would need to be considered as a six year road plan item.

b. Rural Additions Itinerary Review

The Board scheduled Saturday, June 12, 1999 at 8 a.m. for the rural additions viewing by the Board of Supervisors with those members attending to meet at the Dublin Hardee's.

c. Citizen Concerns

No citizen concerns regarding highway matters were heard at this time.

d. Board of Supervisors Concerns

Supervisor Conner reported pavement deterioration at the intersection of Rt. 611, Newbern Road/Wilderness Road and Rt. F047, Cleburne Boulevard/Old Route 100.

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Supervisor White advised of potholes on Rt. 639, Loving Field Road, near the Loving Field.

Supervisor White inquired regarding the construction status of Rt. 641, Cox Hollow Road. Mr. Brugh reported the road has been contracted and summer construction startup is expected.

Supervisor White inquired about the mowing schedule for secondary roads by VDOT. Mr. Brugh advised that primary roads are presently being mowed with secondary roads scheduled for mowing thereafter.

Supervisor Sheffey inquired regarding the possible closing of Rt. 100, over Cloyd's Mountain, for construction. Mr. Brugh advised no closing is planned; however, a detour may occur or blasting may cause an unintentional closing.

Supervisor Cook reported that poor mowing had occurred on Rt. F047 and requested VDOT to review.

Supervisor Cook advised that the pavement edge is breaking up on Rt. 784, Hance Road, off Rt. 100, and that the road sign continues to be vandalized. Mr. Brugh advised VDOT will stake the road sign down.

Supervisor Cook advised of poison ivy growth around the fence near the new county entrance sign on I-81 northbound lane along F047, Kirby Road. Mr. Brugh reported VDOT will apply pesticide to this area.

Supervisor Cook inquired regarding the New River Industrial Park access road schedule. Mr. Brugh reported that VDOT had encountered rock and excavation is underway presently.

### 5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report, report of certificates of deposits and the sales tax distribution monthly report. The Board accepted the reports as presented.

### 6. Citizens' Comments

Mr. Ed Hoggatt stressed the need for the clean-up of unsightly property in the county. He invited Supervisor Sheffey to visit the Parrott area to view needed clean-up sites, and noted some areas not on the Clean Community Council list for clean-up. Mr. Hoggatt also inquired regarding the minutes of the Board of Supervisors being placed on the internet. Staff advised this was currently underway.

7. Ninth District Tourism Marketing Coalition Presentation

No report was given regarding the above matter at this meeting.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

Supervisor Fariss inquired regarding the Barren Springs addresses being numbered for property addressing and 911 identification. Staff was requested to include a status report regarding this in a future weekly update.

Supervisor Cook inquired regarding the status of stone capping at the Draper Mountain Overlook and sidewalks. Staff advised the stone capping should be installed this fall or next spring. Supervisor Fariss suggested substituting limestone for granite due to economics.

b. Randolph Park Cost Estimate Briefing

The Board heard a presentation from representatives of Draper Aden Associates, Reynolds Architects and Gay Engineering regarding the estimated cost of the Randolph Park. Those present making the presentation included Bill Aden and Mike Cavell of Draper Aden; Glen Reynolds of Reynolds Architects; and Blaine Keesee of Gay and Keesee. The total estimated cost for the completion of the park was reported to be \$5,862,365. However, an estimated \$1,650,966 of the costs could be done at a later date. In addition, if the Army Reserve did the rough grading, an estimated \$684,000 would be saved.

County Attorney, T. J. McCarthy, Jr., reported he had received correspondence which indicated that the Army Reserve would not be able to perform the grading work at Randolph Park due to the Army Reserve unit already being committed for this year.

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors requested the County Attorney to prepare a letter or resolution to Congressman Boucher and Senators Robb and Warner expressing the Board of Supervisors' displeasure regarding the lack of the Army Reserve's assistance with the grading at Randolph Park.

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

Voting no: none.

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c. Rt. 100 Water/Sewer/Street Lights Study Results

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved payment for the lighting installation on Rt. 100 from the General Fund in the amount of approximately \$45,000 with reimbursement for the monthly lighting costs to be billed by the Public Service Authority to the commercial PSA accounts located in the area where the lighting will be installed.

d. Appointments:

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

9. Items of Consent:

On the motion of Mr. Conner, seconded by Mr. White and carried, the Board 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 April 12, 19 & 26, & May 3, 1999

The Board approved the minutes of April 12, 19 & 26 & May 3, 1999, as presented, with corrections to the minutes of April 12<sup>th</sup> & 26<sup>th</sup> as noted by Chairman Sheffey.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 23601 through 23892.

c. Appropriations and Transfers

1. Interoffice Transfers #11 - \$48,499.09

The Board approved interoffice transfers #11 in the amount of \$48,499.09 as prepared by Management Services Director, Nancy Burchett.

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2. General Fund Appropriation #12 - \$990.00, #13 - \$99.00, & - #14 \$20,557.96

#12 – Expenditures:

1302-5201 – Registrar – Postage Services	\$ 990.00
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#13 – Expenditures:

1302-5201 – Registrar – Postage Services	99.00
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#14 – Revenues

1615-13 Dublin Community Kellogg Grant Library	\$ 15,000.00
1901-30 Registrar's Assoc. Mtg. Fees	704.00
4101-00 Insurance Recovery Library Water Damages	2,182.28
1615-16 Reimburse Internet Costs – Library	<u>2,671.68</u>
Total	\$ 20,557.96

Expenditures:

1302-5819 Registrar Assoc. Mtg. Expenses	\$ 704.00
7301-1003 Library Part-time Salaries	1,650.00
7301-3002 Library Professional Services	1,310.00
7301-5201 Library Postage	101.00
7301-5203 Library Telephone	2,671.68
7301-5401 Library Office Supplies	790.00
7301-5411 Library Books & Subscriptions	1,704.00
7301-5804 Library Other Misc.	45.38
7301-7001 Library Machinery & Equipment	8,586.90
7301-7002 Library Furniture & Fixtures	<u>2,995.00</u>
Total	\$ 20,557.96

3. School Fund Appropriation #16A - \$124,199.61 & #17 - \$50,000

#16A – Revenues:

1899-02 Misc. School Receipts	\$ 44,000.00
1901-26 Comprehensive Services Reimbursement	<u>80,199.61</u>
Total	\$ 124,199.61

Expenditures:

6112-114120 Elementary Instruction Salaries	\$ 27,870.00
6112-210120 Elementary Instruction FICA	2,130.00
6112-601310 Elementary Instruction Materials	44,000.00
6113-114120 Secondary Instruction Salaries	46,635.00
6113-210120 Secondary Instruction FICA	<u>3,564.61</u>
Total	\$ 124,199.61

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#17 – Revenues:

2402-82 – School Comm. Health Services Grant \$ 50,000.00

Expenditures:

6969-1131 Health Services Grant Salaries 25,640.00

6969-2101 Health Services Grant FICA 1,948.00

6969-2211 Health Services Grant VRS 3,680.00

6969-2301 Health Services Grant Health Ins. 2,006.00

6969-5501 Health Services Grant Mileage 500.00

6969-5504 Health Services Grant Conference 500.00

6969-6004 Health Services Grant Medical Supplies 5,726.00

6969-8201 Health Services Grant Equipment 10,000.00

Total \$ 50,000.00

d. Ratification:

1. Change Orders

No change orders were presented for approval at this meeting.

2. Agreements, Grants, & Other:

a. Architectural Services – Renovation of County Administration Building

The Board accepted a proposal from Thomas A. Douthat, Jr., Architect, for architectural services for the improvements to the front of the County Administration Building in the amount of \$4,000 with a large portion of the said amount to be applied toward the balance owed the county on the old Office on Youth Building by Mr. Douthat.

b. Dept. of Criminal Justice Grant Application

The Board ratified a grant application to the Dept. of Criminal Justice Services in the amount of \$3,500 as submitted by the Sheriff's Office with a local match of \$875. Said project to improve the services of the Sheriff's Office in the Fairlawn area.

c. Virginia Preschool Initiative for At-Risk Four-Year-Old Children

The Board ratified a grant application on behalf of the School System for funding for the Virginia Preschool Initiative for At-Risk Four-Year-Old Children program for FY 00.

e. Personnel Changes

The Board reviewed personnel changes as reported by Management Services Director Nancy Burchett. It was noted that the Jail employees be listed as transferred to the Regional Jail rather than resigning.

f. Juvenile Detention Needs Assessment

The Board accepted the Needs Assessment Report from the Regional Task Force on Juvenile Detention and approved funding for the continued study of detention needs on a regional basis at a cost not to exceed \$10,000.

g. VACO's 2000 Legislative Program

The Board indicated no specific items for recommendation to the Virginia Association of County's 2000 Legislative Program. It was noted that the county administrator and Supervisors Sheffey and Cook would continue to serve on legislative committees of the Virginia Association of Counties.

h. Pulaski Furniture IDA Approved Refinancing

County Attorney, Thomas J. McCarthy, Jr., noted a conflict of interest pertaining to the above matter due to the fact that his law firm is retained by Pulaski Furniture Corporation on an "as needed" basis. Further, Mr. McCarthy noted that he is holds stock in Pulaski Furniture Corporation as well.

The Board approved the following resolution regarding the refinancing of Pulaski Furniture loans through the Industrial Development Authority.

WHEREAS, the Industrial Development Authority of Pulaski County (the "Authority"), has considered the request of Pulaski Furniture Corporation (the "Applicant"), requesting the issuance of the Authority's revenue bonds in an amount not to exceed \$10,000,000 (the "Bonds") to refund the outstanding principal amount of the Authority's \$8,000,000 Industrial Development Revenue Notes (Pulaski Furniture Corporation), 1984 Series A (collectively, the "1984 Notes"), that were issued to assist the Applicant in (a) acquiring a tract of land of approximately 105 acres and (b) acquiring, renovating and equipping a 900,000 square-foot furniture manufacturing and warehouse facility located at 301 North Madison Avenue in the Town of Pulaski, Virginia;

WHEREAS, the Authority on May 24, 1999, has held a public hearing on the issuance of Bonds; and

WHEREAS, the Authority has requested the Board of Supervisors (the "Board") of Pulaski County, Virginia (the "County"), to approve the issuance of the Bonds to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended ("the Code"), and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"); and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds subject to terms to be agreed upon, a record of the public hearing and a "fiscal impact statement" with respect to the issuance of the Bonds have been filed with the Board;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF PULASKI COUNTY, VIRGINIA:

1. The Board hereby approves the issuance of the Bonds by the Authority for the benefit of the applicant, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Authority to issue the Bonds for the purpose set forth above.
2. Approval of the issuance of the Bonds, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, does not constitute an endorsement of the Bonds or the creditworthiness of the Applicant. As required by Section 15.2-4909 of the Act, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.
3. This resolution shall take effect immediately upon its adoption.

i. Scheduling of Public Hearings:

1. Glenn Cobb Abandoned Dwelling

The Board approved scheduling the public hearing on the above matter for the June 28, 1999 Board of Supervisors meeting.

2. Amendment to Certified Recycling Equipment Ordinance

The Board approved scheduling the public hearing on the above matter for the June 28, 1999 Board of Supervisors meeting.

j. Resolution of Appreciation – Tom Pullen

The Board approved the following resolution of appreciation to Mr. Tom Pullen for serving on the PEP Steering Committee:

**RESOLUTION**

**THOMAS G. "Tom" PULLEN**

WHEREAS, **Thomas G. "Tom" Pullen** is a charter member of Pulaski Encouraging Progress; and

WHEREAS, **Thomas G. "Tom" Pullen** has contributed many years of public service to the citizens of Pulaski County through his membership on the Steering Committee of Pulaski Encouraging Progress; and

WHEREAS, the Pulaski County Board of Supervisors want to recognize **Thomas G. "Tom" Pullen** for his years of service to Pulaski Encouraging Progress;

NOW, THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors recognizes **Thomas G. "Tom" Pullen** for his years of service to Pulaski Encouraging Progress through charter membership on its Steering Committee;

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 24th day of May, 1999 in permanent testimony of its appreciation to the service of **Thomas G. Pullen**.

BE IT FURTHER RESOLVED that the text of this resolution be entered into the minutes of the May 24, 1999 meeting of the Pulaski County Board of Supervisors in testimony of the ongoing service by Mr. Tom Pullen to the citizens of Pulaski County, Virginia.

k. Erosion and Sediment Control Ordinance

The Board reviewed a memo and a copy of the revised Erosion and Sediment Control Ordinance as prepared by the County Attorney. The Board referred this matter to the Planning Commission with the recommendation that only variance approvals be considered by the Planning Commission with all plans meeting standards to be approved by the County Engineer. Staff was requested to confirm that the revised ordinance will not conflict with residential and forestry operations.

l. Health Department Funding Amendment

The Board approved the Health Department's request for a funding amendment, which allows the department to use \$13,699 in the budget, which the state did not match, to purchase computers for patient care at the county clinic.

m. Virginia's First Authority Commerce Park Participation Agreement & Initial Shares Purchase

The Board of Supervisors scheduled a work session for Tuesday, June 1, 1999 at 5 p.m. at the County Administration Building to discuss the above issue. In addition, staff was requested to provide the Board with a complete history of the Commerce Park prior to the June 1, 1999 work session.

10. Citizen Comments

No citizen comments were heard at this time.

11. Other Matters from Supervisors

Supervisor Fariss inquired as to whether the Office on Youth was included in an invitation from the New River Community Services Board for a Pulaski County youth meeting to be held on May 25, 1999.

The Board requested staff to prepare a percentage of non-taxable real estate and transmit with the weekly update as convenient.

Supervisor Sheffey requested the County Attorney to provide a briefing on the Freedom of Information act changes.

Supervisor White requested the county zoning administrator to proceed with issuing a letter to the property owner at the entrance to Tyson Hills in order to seek compliance with county ordinances relating to property clean-up.

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Supervisor White inquired as to the specific location of the proposed cabinet shop in the Robinson District which the Planning Commission had recently tabled pertaining to a re-zoning request.

12. Executive Session – 2.1-344(A)

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors entered 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. Cook, seconded by Mr. Conner 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.

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

Voting no: none.

RE: Appointments:

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors made the following appointments:

1. PEP Steering Committee

The Board instructed staff to proceed to ask Peter Schmidt or John Corn of BBA Friction to serve on the PEP Steering Committee. The Board also added the appointment of the new New River Community College President to the PEP Steering Committee.

2. Office on Youth

The Board appointed Mr. Brad Smith to the Office on Youth Advisory Board for a term ending June 30, 2002.

3. New River Resource Authority

The Board appointed Mr. Tom Owen to serve as alternate to Supervisor Charles Cook on the New River Resource Authority Board of Directors for a term ending December 31, 2000.

4. NRV Community Services Board

The Board appointed Mr. Mike Church to serve on the NRV Community Services Board for a term ending June 30, 2002.

5. Pulaski Encouraging Progress

The Board reappointed Mr. Mark Buckland to the Pulaski Encouraging Progress for a term ending June 30, 2002.

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

Voting no: none.

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13. Adjournment

It was moved by Mr. Conner, seconded by Mr. Cook that the meeting be adjourned to reconvene on Tuesday, June 1, 1999 at 5 p.m. at the County Administration Building, Middle Conference Room, 143 3<sup>rd</sup> Street, NW, 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