

PULASKI COUNTY BOARD OF SUPERVISORS – June 28, 1999

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, June 28, 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; Jerry D. White, Vice-Chairman; and Frank R. Conner. Absent: Charles Cook. 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 Reverend David Hoover.

1a. Presentation of Resolution to Jerry White

Charles Maus, Executive Director of the New River Resource Authority, presented to Supervisor Jerry White the following resolution of appreciation from the New River Resource Authority:

**RESOLUTION OF RECOGNITION
AND APPRECIATION FOR SERVICE
JERRY D. WHITE**

Jerry D. White has represented the County of Pulaski on the New River Resource Authority Board with distinction from July 1988 to March 1999.

Throughout his tenure he brought forth his business knowledge and experience to assist in the development of the Authority's initial and current facilities and programs.

He provided outstanding leadership as Chairman from July 1989 to June 1990 and as Vice-Chairman from July 1990 to June 1993.

He exhibited outstanding regional stewardship and statesmanship in consummating the Authority's initial regional plan as member of the regional membership expansion team.

NOW, THEREFORE, BE IT RESOLVED by the Board of the New River Resource Authority that it hereby extends to

Jerry D. White

Its recognition of and commendation for his long and devoted service to the Authority, its members and the citizens of the New River Valley, and hereby makes it known that through his unstinting and exemplary efforts in promoting the mission and goals of this Authority, he has earned the respect and gratitude of the Authority and all the people it serves.

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BE IT RESOLVED that this Resolution be spread upon the permanent records of the Authority and that a copy be sent to the Chairman of the Pulaski County Board of Supervisors with the request that it be acknowledged in its public session as the New River Resource Authority's recognition of Mr. White's contributions to and guidance of the Authority as a representative of Pulaski County and the New River Valley.

Adopted May 26, 1999.

New River Resource Authority

By: s/Thomas L. Starnes

In addition to the above resolution, Mr. Maus presented to Supervisor White an aerial photograph of his home located off Alum Spring Road in Pulaski County.

2. Additions to Agenda

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

3. Public Hearings

- a. Cleanup of property owned by Glenn Cobb, identified by tax map parcels 038-001-0000-0017, zoned Residential (R1), 0.25 acre, located on the north side of Falling Branch Road (Rt. 798), Cloyd District

Assistant County Administrator, Peter Huber, reviewed pictures of the above noted property. He reported the littering problems and unsafe building still exist, and recommended the county proceed with necessary steps to clean the property up.

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

On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board of Supervisors authorized staff to proceed in developing the estimate costs of cleaning up the above listed property and advising the property owner of same.

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

Voting no: none.

Absent: Mr. Cook.

- b. An Amendment to Certified Recycling Equipment Ordinance to allow for the current five year, 50% exemption, regardless of classification of the equipment as machinery and tools or real estate

County Attorney, Thomas J. McCarthy, Jr., advised the above amendments had been prepared in order to bring the existing ordinance into compliance with state statutes.

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

Dr. Fariss inquired regarding who certifies what taxes are reduced. Staff advised the county can determine which tax, machinery and tools or real estate, is reduced.

On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board approved the following Certified Recycling Equipment Ordinance to include the amendments as recommended with the locality having approval regarding which tax is reduced.

CERTIFIED RECYCLING EQUIPMENT ORDINANCE
DATED JUNE 28, 1999
PURSUANT TO VIRGINIA CODE SECTION 58.1-3661

BE IT ORDAINED that pursuant to the authority granted to it by Section 58.1-3221 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Pulaski County, Virginia, does hereby partially exempt from real estate taxation, real estate in Pulaski County, Virginia, on which any structure or other improvement no less than twenty-five (25) years of age, or fifteen (15) years of age, if the structure is located in an area designated as an enterprise zone by the Commonwealth, has undergone substantial rehabilitation, renovation or replacement for commercial or industrial use. Structures substantially rehabilitated by complete replacement for commercial and industrial use may exceed the total square footage of the replaced structure by no more than 110 percent (110%) if located in areas designated enterprise zones by the Commonwealth, and by no more than 100 percent (100%) in all other areas.

This partial exemption from real estate taxation provided for by this ordinance shall not exceed the greater of (1) an amount equal to the increase in assessed value resulting from the industrial structure as determined by the Commissioner of Revenue, or (2) an amount equal to fifty percent (50%) of the cost of rehabilitation, renovation or replacement. The greater taxation for the first tax year after rehabilitation, renovation or replacement, and that amount shall be diminished by ten percent (10%) of its original value exempted for each

tax year after the rehabilitation, renovation, or replacement. This exemption shall run with the real estate as prescribed above for a period no longer than ten (10) years.

There is hereby assessed a fee of Fifty Dollars (\$50.00) payable to Pulaski County for processing an application requesting the exemption provided by this section. No property shall be eligible for exemption under this Ordinance unless the appropriate building permits have been acquired, an application for exemption has been made and the required fee paid, and the Commissioner of Revenue has verified that the rehabilitation, renovation or replacement indicated on the application has been completed.

Where rehabilitation is achieved through demolition and replacement of an existing structure, the exemption provided in subsection A shall not apply when any structure demolished is a registered Virginia landmark or is determined by the Department of Historic Resources to contribute to the significance of a registered historic landmark.

SOLAR ENERGY AND RECYCLING EQUIPMENT

BE IT ORDAINED that pursuant to the authority granted to it by Section 58.1-3661 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Pulaski County, Virginia, does hereby exempt from local taxation as real or personal property 50% of the value of certified solar energy equipment facilities or devices and 50% of the value of certified recycling equipment, facilities, or devices as defined in the above mentioned Virginia Code Section. Such partial exemption shall be effective the next succeeding tax year following approval of application for exemption and thereafter for a period of five (5) years only.

As used in Ordinance:

“Certified recycling equipment, facilities or devices” means machinery and equipment which is certified by the Department of Environmental Quality as integral to the recycling process and for use primarily for the purpose of aviating or preventing pollution of the atmosphere or waters of the Commonwealth, and used in manufacturing facilities or plant units which manufacture, process, compound, or produce for sale recyclable items of tangible personal property at fixed locations in Pulaski County.

“Certified solar energy equipment, facilities or devices” means any property, including real or personal property, equipment, facilities or devices: means any property, including real or personal property, equipment, facilities, or devices, certified by the local certifying authority to be designed and used primarily for the purpose of providing for the collection and use of incident solar energy for

water heating, space heating or cooling or other application which would otherwise require a conventional source of energy such as petroleum products, natural gas, or electricity.

“Local certifying authority” means the local building departments or the Department of Environmental Quality.

Any person residing in or an industry located in Pulaski County may proceed to have solar energy equipment, facilities or devices certified as exempt, wholly or partially, from taxation by applying to the local building department. If after examination of such equipment, facility or device, the local building department determines that the unit primarily performs any of the functions set forth in this Ordinance and conforms to the requirements set by regulations of the Commonwealth’s Board of Housing and Community Development, such department shall approve and certify such application. The local department shall forthwith transmit to the Pulaski County Commissioner of Revenue those applications properly approved and certified by the local building department as meeting all requirements qualifying such equipment, facility or device for exemption for taxation. Any person aggrieved by a decision of the local building department may appeal such decision to the Pulaski County Director of Building Code Enforcement, who may affirm or reverse such decision.

Upon receipt of the certificate from the local building department or the Department of Environmental Quality, the Commissioner of Revenue shall proceed to determine the value of such qualifying solar energy equipment, facilities or devices or certified recycling equipment, facilities or devices. The exemption provided by this ordinance shall be determined by applying the local tax rate to the value of such equipment, facilities or devices and subtracting such amount, wholly or partially, either (i) from the total real property tax due on the real property to which such equipment, facilities or devices are attached, or (ii) if such equipment, facilities, or devices are taxable as machinery and tools under Section 58.1-3661, of the Code of Virginia, 1950, as amended, from the total machinery and tools tax due on such equipment, facilities, or devices, at the election of the taxpayer. It shall be presumed for purposes of administration of this Ordinance, and for no other purpose, that the value of such qualifying pollution control equipment and facilities is not less than the normal cost of purchasing and installing such equipment and facilities.

GENERATING AND CO-GENERATING EQUIPMENT

BE IT ORDAINED that the pursuant to the authority granted to it by Section 58.1-3662 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Pulaski County, Virginia, does hereby exempt from the local taxation as real or personal property 50% of the value of generating equipment installed after December 31, 1974 for the purpose of converting from oil or natural gas to coal or to wood, wood bark, wood residue, or any other alternate energy source for

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manufacturing and any co-generating equipment installed since such date for use in manufacturing.

Application for exemption to be effective in the year filed, must be filed on or before April 1, of the year for which the exemption is first applied for and filed with the Commissioner of Revenue of Pulaski County.

In all other aspects, the Ordinance as adopted on June 28, 1999, shall remain in full force and effect.

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

Voting no: none.

Absent: Mr. Cook.

- c. A rezoning request by **Garland J. & Patsy Bundy** from Residential (R1) to Agricultural (A1) for property identified by tax map no. 045-001-0000-0001,2,3, 59.00 total acres, located to the north side of Vista Rd. (Rt. 647) approximately 0.3 mile west of Alum Spring Rd. (Rt. 636), Robinson District

Assistant County Administrator, Peter Huber, advised the Planning Commission had recommended approval of the above rezoning request based on previous use and current agricultural use of the property.

Chairman Sheffey opened the public hearing.

Mr. Lynn Farley of 3309 Vista Road expressed concerns of surrounding property depreciation and possible placement of mobile home park in the area if the rezoning request is approved.

Mr. Garland Bundy, applicant for the rezoning request, advised that the property was changed in 1989 from Agricultural (A) to Residential 1 (R1). He requested the Board to approve his rezoning request.

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

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

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

Voting no: none.

Absent: Mr. Cook.

- d. A request by **Garland J. & Patsy Bundy** to add a use to allow a **cabinet shop** in the Agricultural (A1) District as a special use permit.

Assistant County Administrator, Peter Huber, advised the Planning Commission recommends approval of the above request as a special use permit only.

Chairman Sheffey opened the public hearing.

Mr. Lynn Farley of 3309 Vista Road advised he was against the rezoning request for safety reasons since small children play in the area adjacent to the proposed cabinet shop.

Mr. Phil Delp, son-in-law of Garland and Patsy Bundy, advised he also lived in the area and had small children; however, the cabinet shop would not create any disturbance as the nearest neighbor will be 50 yards away from the proposed cabinet shop.

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

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors approved the above request to allow a cabinet shop in the agricultural district as a special use permit per the Planning Commission recommendation.

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

Voting no: none.

Absent: Mr. Cook.

- e. A rezoning request by **James Whited** from Residential (R2) to Agricultural (A1) with a Conditional Use Permit (CUP) for expansion of an existing manufactured home park on property identified by tax map no. 029-001-0000-0088, 66.00 acres located at 6654 Viscoe Rd. (Rt. 679), Cloyd District.

Assistant County Administrator, Peter Huber, advised the Planning Commission recommends approval of the above request with a conditional use permit and based on the proffers agreed to by Mr. Whited. Further, Mr. Huber advised if the request is approved, the mobile home park can be expanded to 55 mobile homes and public water and sewer services to the park will be financially feasible.

Chairman Sheffey opened the public hearing.

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A citizen expressed concerns regarding the rezoning of 60 acres if only 20 acres is needed for the mobile home park expansion.

Mr. Bart Lewis, property owner at Riverwood Subdivision, advised he was not concerned with the rezoning and requested approval by the Board of Supervisors.

Ms. Norma Burke, a resident of Viscoe Road and neighbor of the mobile home park, advised she had no objections to the rezoning request. She complimented the park owner for the excellent manner in which the park had been managed in the past.

Mr. Tommy Hall, whose wife's grandmother is a resident of Viscoe Road, expressed concerns regarding restrictions on the mobile home park and what would happen should Mr. Whited in the future not own or operate the park. He reported the park might not be run in the same manner in the future.

Mr. Robert Ervine, a Riverwood Subdivision resident, asked the Board to deny the rezoning request and keep the area zoned for residential homes.

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

Supervisor White confirmed with Mr. Whited that forty (40) or so acres would be left as a buffer between the back of the mobile home park and Viscoe Road.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved the above rezoning request as recommended by the Planning Commission with proffers for an area of approximately twenty (20) acres, along with a buffer on all sides between the mobile home park and the adjacent property, with the park owner to provide a plat of the area to be rezoned with the required buffer to be satisfactory to county staff. Said buffer to be maintained for an indefinite period. In addition, expansion should not exceed a total of 55 mobile home units.

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

Voting no: none.

Absent: Mr. Cook.

f. Amendment to the Pulaski County Zoning Ordinance establishing the Transitional Industrial District.

Assistant County Administrator, Peter Huber, advised the above amendment to the Zoning Ordinance was recommended for approval by the Planning Commission.

Chairman Sheffey opened the public hearing.

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

Dr. Fariss expressed concerns regarding the noise restrictions. He advised that the proposed noise restrictions would be difficult to enforce especially with the limits specified in the amendment.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved the following amendment to the Zoning Ordinance establishing the Transitional Industrial District, excluding the noise restrictions, with the Planning Commission to further study the noise control issues.

ARTICLE 6: TRANSITIONAL INDUSTRIAL DISTRICT (I-0)
Statement of Intent

This district is established as a transitional area primarily for light industrial and commercial operations, which may create minimal nuisance, and are compatible with adjacent agricultural, residential, institutional, or retail commercial uses.

In addition, uses cannot have any objectionable, detectable odor at the nearest residential property line (see definition section).

Add to Definition Section:

Detectable odor – continuous, frequent or repetitive emission of odors or odor-causing substance detectable by a three-person panel appointed by the Board of Supervisors at least once during a fifteen-minute period at the nearest residential property line.

6-1 Uses Permitted by Right

Within the Transitional Industrial District (I-0), the following uses are permitted by right:

- *Building materials, plumbing supplies, feed stores without outdoor storage*
- *Cabinet, Furniture and Upholstery Shops*
- *Day Care Facilities*
- *Dwelling, Business Accessory Use*
- *Laboratories – Pharmaceutical and/or Medical*
- *Manufacture or Assembly.*
- *Public utilities generating booster or relay stations, transformer substations, transmission lines and towers, pipes, meters, and other facilities for the*

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provision and maintenance of public utilities, railroads and facilities, water and sewerage installations, and CATV.

- *Restaurants*
- *Signs as allowed by this ordinance in commercial zones.*
- *Storage Warehouses*
- *Testing operations*
- *Wholesale Businesses*
- *Autos and Home Appliance Services*
- *Banks*
- *Barber and Beauty Shops*
- *Boarding House*
- *Bowling Alley*
- *Convenience Stores*
- *Feed and Seed Stores*
- *Fire Departments*
- *Food Sales*
- *Funeral Home*
- *Gasoline filling stations and/or the servicing and repairing of motor vehicles when in an enclosed structure.*
- *Golf Driving Ranges*
- *Hardware Stores*
- *Hotels*
- *Miniature Golf Courses*
- *Medical Offices and clinics*
- *Motels*
- *Office and Personal and Professional Services*
- *Off-street Parking as required by this ordinance.*
- *Professional Office Buildings*
- *Public garages, for storage and/or repair of motor vehicles when in an enclosed space.*
- *Public and Semi-public uses, such as:*
 - Churches*
 - Church Adjunctive Cemeteries*
 - Libraries*
 - Museums*
 - Schools*
 - Hospitals*
- *Post Offices*
- *Rescue Squad Facilities*
- *Restaurants*
- *Retail Drug Stores*
- *Schools of Special Instruction*
- *Theaters*
- *Waterfront Business Activities:*
 - Wholesale and retail marine activities such as:*
 - Activities primarily conducted on or about waterfront.*

All such uses shall be contiguous to a waterfront.

Boat Docks

Boat Houses

Piers

Yacht Clubs and Servicing Facilities

- *Wearing Apparel Shops*
- *Wholesale and Processing Activities*
- *Maintenance of public utilities, including railroads (except railroad yards) and water and sewerage installations.*
- *Accessory uses as they pertain to items covered in Statement of Intent.*

6-2 Uses Permitted by Conditional Use Permit (CUP) Only

Within the Transitional Industrial District (I-0), the following uses are permitted by Conditional Use Permit (CUP) only:

- *Chemical Manufacturing*
- *Veterinary Hospital*

6-3 Uses Permitted by Special Use Permit (SUP) Only

Within the Transitional Industrial District (I-0), the following uses are permitted by Special Use Permit (SUP) only:

- *General Advertising Signs*
- *Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.*
- *Setback Variance*
- *State Water Control Board Permitted Sewage Facilities*

6-4 Area Regulations

For industrial lots, the minimum lot area shall be one (1) acre.

6-5 Setback Requirements

No building or accessory structure shall be located closer to the lot line than the following distances:

- 6-5.1 *Front Lot Line: Thirty (30) feet.*
- 6-5.2 *Side Lot Line: Ten (10) feet.*
- 6-5.3 *Rear Lot Line: Twenty-five (25) feet.*
- 6-5.4 *Any setbacks adjacent to a residential zone shall be fifty (50) feet.*

A variance to these setbacks may be allowed by Special Use Permit (SUP). Such variance requires submittal of a detailed site plan showing adequate parking and other open space to more than offset the loss of area from the setback reduction. For purposes of this variance, open space shall be considered any space with no structure, other than recreational equipment, over 30 inches in height. Such variance also requires the Planning Commission to request and consider comments from the Virginia Department of Transportation Resident Engineer regarding the impact of the variance.

6-6 Frontage Regulations

A minimum street frontage of fifty (50) feet is required.

6-7 Yard Regulations

6-7.0 Yard requirements when abutting residential, agricultural or conservation districts shall be a minimum of fifty (50) feet as measured from the property line of the adjacent use.

6-7.1 Accessory use of yards other than landscaping and lawn areas adjacent to residential districts shall only be allowed by special use permit as specifically granted by the Planning Commission.

6-8 Height Regulations

6-8.1 Buildings may be erected up to thirty-five (35) feet in height from grade.

6-8.1 A building may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.

6-8.2 Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, and flagpoles, elevator towers, television antennae, and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

6-8.3 No accessory building which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory buildings shall be less than the main building in height.

6-9 Paving Requirements

In addition to the requirements of Article 14 of this ordinance, all off-street parking, storage areas, and driveways shall be paved.

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, Dale Stancil, met with the Board and discussed the following matters:

a. Follow-up from Previous Board meeting:

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

Mr. Stancil advised the above traffic signal has been approved and will be funded with interstate funds in FY 00.

2. Update on Rt. 611, Newbern Road/Wilderness Road & Rt. F047, Cleburne Blvd., Old Route 100, Pavement Deterioration

Mr. Stancil reported the above area is scheduled for pavement removal and repaving within the next two weeks.

3. Rt. 639, Loving Field Road, Potholes

Mr. Stancil reported the potholes on Rt. 639, Loving Field Road, had been repaired by VDOT.

4. Update on Closing of Rt. 100, over Cloyd's Mountain

Mr. Stancil advised that Rt. 100, over Cloyd's Mountain, will be closed inadvertently for a weekend to be either July 9th or 16th. He further reported the exact closing date will be determined by VDOT by July 1. The Board requested VDOT officials to ask the media to notify the public of this closing.

b. Request for Speed Limit Signs on Rt. 1205, Timberlane Drive

Mr. Stancil advised VDOT would repost the speed limit signs on Rt. 1205, Timberlane Drive, as a residential area.

c. Request for Sidewalk Path Along Rt. 679, Viscoe Road

It was moved by Dr. Fariss, seconded by Mr. White, to add the above request to the six-year plan waiting list.

Mr. Kent Aiken a resident of the area encouraged the Board to support a sidewalk path along Rt. 679 due to the large number of walkers in the area.

Mr. E. W. Harless questioned the cost of such a sidewalk in relation to other areas of road improvement needs.

No further comments were made and the following roll call vote was recorded whereas the motion failed:

Voting yes: Dr. Fariss and Mr. Sheffey.

Voting no: Mr. White and Mr. Conner.

d. Status of New River Industrial Park Access Road

Mr. Stancil reported the paving at the New River Industrial Park access road was scheduled for mid July by VDOT.

e. Rural Addition Request – Unpaved Portion of Barton Drive

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved adding the above rural addition request to the rural addition request listing for viewing.

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

Voting no: none.

Absent: Mr. Cook.

f. Rt. 693, Farris Mines Road, Update

Dr. Fariss noted that the spelling of Rt. 693 to be Farris and not Fariss. Staff was asked to confirm the correct spelling.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved adding to the six year road plan waiting list Rt. 693, Farris Mines Road, from Rock Creek, Rt. 764, to the Carroll County line for widening and other improvements.

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

Voting no: none

Absent: Mr. Cook.

g. Harry DeHaven Park Road

Mr. Stancil advised that the Harry DeHaven Park Road is eligible for funding as a recreational access road. Further, he reported funding up to \$250,000 may be acquired with no local dollar match required.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved staff submitting an application for recreational funding for the road improvements needed at the Harry DeHaven Park.

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

Voting no: none.

Absent: Mr. Cook.

h. Request for Directional Sign to, Rt. 683, Alexander Drive

Mr. Stancil advised that VDOT had reviewed the above request for directional sign to Rt. 683, Alexander Drive, and at this time the sign is not recommended. However, he reported that Volvo could direct its traffic, if desired. In addition, the new traffic signal on Rt. 611 should help to reduce the traffic congestion problems in this area.

i. Rt. 100 Easement for Detour

On the motion of Mr. Conner, seconded by Mr. White and carried, the Board ratified an easement to VDOT for a temporary road detour to assist the Rt. 100 widening project over Cloyd's Mountain.

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

Voting no: none.

Absent: Mr. Cook.

j. County Welcome Sign

Mr. Stancil advised that VDOT would be willing to consider the concept at some appropriate entrance location near the wall on the new Memorial Bridge.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors requested VDOT officials to approve the placement of a county welcome sign on or against the wall on the new Memorial Bridge.

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

Voting no: none.

Absent: Mr. Cook.

k. New River Valley Link Road

Chairman Sheffey advised the New River Valley Planning District Commission does not consider the New River Valley Link Road as a top priority in the New River Valley.

Supervisor White advised that the Morgan's Cut road needs to be four-laned.

The Board approved the correspondence by the county administrator to the Virginia Department of Transportation, Planning Division, supporting the New River Valley Link Road.

l. Citizen Concerns

Mr. Marion Lutz expressed concerns regarding the dust problem from the Twin Oaks Subdivision and requested that H. T. Bowling be requested to finish the roads in order for VDOT to take over the road maintenance in the Twin Oaks Subdivision.

m. Board of Supervisors Concerns

Supervisor Conner inquired regarding the surfacing plans for Rt. 643, Cougar Trail Road. Mr. Stancil advised he would check and report on this at the next Board of Supervisors meeting.

Supervisor Conner advised that Rt. 807, Hatcher Road, is in need of grading due to drainage problems, and further requested that a traffic count be conducted once school begins.

Supervisor Sheffey advised of the need for replacing rumble strips along Rt. 626, Hazel Hollow Road, near Rt. 798, Falling Branch Road.

Mr. Stancil provided a map reflecting the location of the study area for the Bagging Plant Road crossing of Old Rt. 11 and Rt. 11 for the Board to review.

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. Pierre LaFlamme presented a proposal requesting the Board adopt a noise control ordinance.

The Board requested staff to refer the above proposal to the Planning Commission for review.

Ms. Beth Lancaster shared a copy of a petition in opposition to the AEP 765kV alternate route powerline.

Ms. Ruth Lancaster expressed thanks to the Board and staff for the improvements made at the Harry DeHaven Park.

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable

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

b. Briefing on Freedom of Information Act Revisions

County Attorney, Thomas J. McCarthy, Jr., presented a briefing to the Board of Supervisors on recent Freedom of Information Act revisions which are to become effective July 1, 1999. Mr. McCarthy noted the following specific items:

- “Closed Meeting” replaces “Executive Session” after July 1;
- Meeting notices have to be posted three days in advance;
- Public review of the agenda packet needs to be made available at the same time the Board packet is available; and
- “Closed Meetings” resolution needs to be amended.

Staff was requested to post a copy of the Freedom of Information Act on the public notice board located in the foyer of the County Administration Building. In addition, staff was requested to order additional copies of the Local Government Officials Freedom of Information Act brochure and distribute to the Board of Supervisors, Planning Commissioners, Board of Zoning Appeals members and county department heads.

c. Report on Condition of cleanup of property and unsafe structure 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.

Staff reported that violations still exist at the above noted location and authorization to proceed in notifying owner of costs to clean up the property was requested.

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On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board of Supervisors authorized staff to notify the above owner of the estimated costs of \$18,000 to clean up the property, and give the property owner 30 days to respond prior to the county removing the structure and cleaning up the property.

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

d. Noise Control Ordinance Consideration

This matter was reviewed previously under citizens comments.

e. New River Criminal Justice Academy Reorganization

Supervisor Conner reported he endorsed the reorganization of the New River Criminal Justice Academy and suggested a Board of Supervisors appointee be reinstated as the reorganization will allow. He noted that Pulaski County and Montgomery County were the only two localities which had not approved the reorganization.

The county attorney noted he had some concerns with the power widely granted to an executive committee and the limited quorum requirements with no locality approval requirements for amendments to the organizational documents. He advised he had discussed these with the New River Criminal Justice Academy officials.

The Board of Supervisors requested the county attorney to include the recommended changes to the reorganization document for the Board to review and possibly take action on at the July 26, 1999 meeting.

f. Appointments:

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

8. Items of Consent:

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

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

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a. Minutes of May 24 and June 1 & 12, 1999

The Board approved the minutes of May 24 and June 1 & 12, as presented.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 23918 through 24386.

c. Appropriations and Transfers

1. Interoffice Transfers #12 - \$48,678.46

The Board approved interoffice transfers #12 in the amount of \$48,678.46 as prepared by Management Services Director, Nancy Burchett.

2. General Fund Appropriation #15 - \$96,450.00

Revenues:

2404-48 NR Criminal Justice Services Grant	\$ 26,444.00
2404-30 Victims Assistant Grant	<u>22,598.00</u>
Total	\$ 49,042.00

Expenditures:

1204-3002 County Attorney Prof. Services	\$ 4,800.00
1204-5501 County Attorney Mileage	478.00
1204-5503 County Attorney Travel	153.00
1204-5504 County Attorney Travel	1,501.00
1205-1003 Operations Part-time Salaries	6,500.00
1205-4001 Operations Data Processing	12,384.00
1215-1003 Management Services Part-time Salaries	5,000.00
3106-1001 911 Addressing - Salaries	1,551.00
3106-5203 911 Addressing - Telecommunications	4,000.00
3208-4006 Dublin Fire Dept. Garage Parts	1,700.00
3212-4006 Snowville Fire Dept. Garage Parts	1,300.00
3303-5203 Court Services Telecommunications	1,167.00
3306-300908 NR Criminal Services Grant	26,441.00
3306-300910 NR Criminal Services Grant	3.00
5338-5203 Victims Assistance Telecommunications	47.00
5338-5606 Victims Assistance Grant	22,598.00
8140-2011 Zoning Worker's Compensation Ins.	698.00
8140-4004 Zoning Central Copying	708.00
8140-4005 Zoning Garage Labor	260.00
8140-5203 Zoning Telecommunications	501.00
8140-5413 Zoning Other Misc.	690.00
9104-5804 Erroneous Assessments Refunds	3,443.00

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9310-5824 Revenue Refunds County Decals	500.00
9310-5827 Revenue Refunds Other Misc.	2.00
9310-5835 Revenue Refunds Zoning, Special Permits	25.00
Total	\$ 96,450.00

3. Capital Improvements Fund Appropriation #6 - \$61,653.00

Revenues:

5102-00 Transfer From General Fund \$ 61,653.00

Expenditures:

7130-5407 Harry DeHaven Park Repair & Maint. \$ 7,498.00

9130-7124 Claytor Lake Water 54,155.00

Total \$ 61,653.00

4. School Construction Fund Appropriation #2 - \$23,967.00

Revenues:

1502-01 Interest \$ 23,967.00

Expenditures:

9101-903802 School Construction Interest Payments \$ 23,967.00

5. FY 00 Budget Adoption & Annual Appropriations Resolution

The Board adopted the FY 00 budget as advertised with the following modifications as recommended by staff:

- An additional \$35,520 added to the Clean Community Council budget to pay off-duty Sheriff's Deputies to supervise the lake cleanup and other cleanups in the county;
- A reduction in the Friends of Claytor Lake budget of \$9,630 since the lake cleanup inmate supervision will be shifted to the Clean Community Council budget; and
- An additional \$6,754 for library staff salaries.

The General Fund budget amount approved in the amount of \$20,716,777 with revenues estimated at \$21,091.670.

The Board of Supervisors adopted the following Appropriations Resolutions for FY 00:

A RESOLUTION APPROPRIATING FUNDS AND
SETTING 2000 PROPERTY TAX RATES FOR
ESTABLISHING GENERAL FISCAL POLICY FOR
THE PERIOD OF JULY 1, 1999 THROUGH JUNE 30, 2000

WHEREAS, the Pulaski County Board of Supervisors has adopted a budget for the fiscal year ending June 30, 2000; and

WHEREAS, the Board of Supervisors has established tax rates and set a levy sufficient to meet the expenditure requirements of the budget;

THEREFORE BE IT RESOLVED that the Board of Supervisors make the following monetary appropriations for July 1, 1999 through June 30, 2000.

GENERAL FUND:

A total sum of \$20,716,777 is hereby appropriated. Said funds are to be expended as follows:

Board of Supervisors	\$	85,722
County Administrator		174,226
Assistant/Development		100,382
County Attorney		51,500
Operations		103,357
Independent Auditor		20,160
Commissioner of Revenue		346,663
Treasurer		334,618
Management Services		97,131
Electoral Board and Officials		30,522
Registrar		78,905
Circuit Court		53,886
General District Court		7,400
Clerk of Circuit Court		363,427
Law Library		7,000
Commonwealth Attorney		448,653
Sheriff		2,254,987
E911 System		55,000
Forest Fire Protection		4,789
Town of Pulaski Fire Protection		25,000
Western Virginia EMS System		7,095
Draper Vol. Fire Dept.		24,162
Dublin Fire Department		23,662
Fairlawn Vol. Fire Dept.		28,262

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Hiwassee Vol. Fire Dept.	23,162
Newbern Vol. Fire Dept.	26,162
Snowville Vol. Fire Dept.	23,162
Twin Comm. Vol. Fire Dept.	24,162
Regional Jail	350,000
Court Services	7,000
NRV Juvenile Detention Home	97,673
Building Department	115,682
Animal Control	152,815
Medical Examiners	1,200
Emergency Services	70,126
General Engineering	100,338
Landfill/Cloyd's Mountain	221,370
Clean Community Council	42,750
General Properties	462,349
N.R.V. Airport	21,027
Health Department	227,058
N.R. Community Services Board	63,401
State and Local Hospitalization	4,773
Area Agency on Aging	12,394
Institutional Care of Poor	300
Pulaski County Office on Youth	45,645
Friends of Claytor Lake	12,000
Retired Senior Program	9,591
New River Community Action	38,839
Literacy Volunteers of America	3,090
VJCCA	60,606
NRV Disability Services	10,361
New River Community College	13,379
Recreation/County and Towns	242,757
Blue Ridge Regional Education	1,272
Fine Arts Center for the NRV	8,000
Historical Preservation	5,150
Library	419,483
Economic Development	53,225
Zoning Administrator	67,862
Contribution NRV Planning District	15,027
Pulaski Co. Chamber of Commerce	10,000
Industrial Park Maintenance	10,000
Soil Conservation	4,326
New River-Highlands Conservation	350
VPI&SU Extension Office	89,761
Transfer to School Fund	8,969,539
Transfer to VPA Fund	561,940
Transfer to Capital Outlay Fund	2,853,276
Transfer to Comp. Services Act Fund	288,966

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Transfer to Internal Service Fund	50,000
Transfer to REMSI Fund	<u>98,919</u>
TOTAL GENERAL FUND	\$ 20,716,777

INTERNAL SERVICE FUND

Central Garage	\$ 620,416
Communications/Copy Center	111,800
Data Processing Center	<u>243,537</u>
TOTAL INTERNAL SERVICE FUND	\$975,753

CAPITAL IMPROVEMENTS FUND

Data Processing – PC's	\$ 42,000
Hiwassee Rescue Bldg.	65,000
Clerk of Circuit Court – Optical Imaging	23,000
Sheriff's Dept. Vehicles	90,000
Draper Vol. Fire Dept. – Pumper	220,000
Economic Development Stimulus	641,905
School Buses	255,000
Debt Bond Repayments	1,366,983
Cloyd's Mt. Sewer Debt	134,388
Claytor Lake Waterline Debt	<u>15,000</u>
TOTAL CAP. IMPR. FUND	\$ 2,853,276

Power of line item transfers of funds within the above appropriations is hereby invested in the County Administrator. Power of interfunctional transfer is reserved by the Board. The Board further requires all expenditures to be in compliance with purchasing laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors.

SCHOOL FUND:

A total of \$ 31,479,208 is hereby appropriated for educational purposes. These funds are to be expended as follows:

Admin., Attendance & Health	\$ 1,240,090
School Food Services	1,788,000
Facilities	364,065
Federal Programs	1,423,797
Instruction	22,555,207
Pupil Transportation	1,237,320
Operations and Maintenance	<u>2,870,729</u>
TOTAL SCHOOL FUND	\$ 31,479,208

PULASKI COUNTY BOARD OF SUPERVISORS – June 28, 1999

Power of interfunctional or categorical transfer shall rest with the Board of Supervisors.

All purchases and expenditures shall be in accordance with the laws of Virginia.

VIRGINIA PUBLIC ASSISTANCE FUND:

A total of \$4,365,033 is appropriated for social services purposes. These funds are to be expended as follows:

(Social Services)		
Joint Administration	\$	576,107
Eligibility Services		859,285
Direct Social Services		549,747
Adult Home Based		61,995
Food Stamp Employment and Training		27,649
Public Assistance		632,306
Purchase of Services		24,465
Social Service Administration Local Only		54,130
POS Prevention Foster Care		7,811
Fuel Assistance Admin.		17,620
Purchased Day Care		239,766
Family Preserv. & Support Services		30,638
VIEW Direct & Purchased Services		273,610
VA Child Med. Sec. Ins.		20,504
Independent Living Program		<u>4,400</u>
TOTAL VA PUB.ASSIST. FUNDS	\$	3,380,033

COMPREHENSIVE SERVICES ACT FUND:

Customer Services	\$	980,000
Administration		<u>5,000</u>
TOTAL CSA FUND	\$	985,000

All purchases of the Welfare Board shall be in compliance with laws of Virginia and any subsequent purchasing regulations adopted by the Board of Supervisors.

Power of interfunctional or categorical transfer is reserved by the Board of Supervisors.

REGIONAL EMERGENCY MEDICAL SERVICES FUND:

The sum of \$714,016 is appropriated for the REMSI Fund to be expended as follows:

Administration	\$	122,798
Field Staff		366,766
Recruitment & Retainment		16,800
Equipment & Stations		183,202
Training Center		<u>24,450</u>
TOTAL REMSI FUND	\$	714,016

**TOTAL APPROPRIATIONS
ALL FUNDS \$ 61,104,063**

Property tax rates are set for FY 1999-00 as follows:
Tangible Personal Property - \$1.50 per hundred dollars of assessed valuation

Machinery and Tool - \$1.50 per hundred dollars of assessed valuation

Merchant's Capital - \$4.80 per hundred dollars of assessed valuation

Real Estate & Mobile Homes - \$.62 per hundred dollars of assessed valuation

d. Ratification:

1. Change Orders

NRIP Utilities Improvements - \$1,000

The Board ratified change order #1 with Welding, Inc. in the amount of \$1,000 for the New River Industrial Park utilities improvements.

2. Agreements, Grants, & Other:

a. PCHS VICA Fund Assistance

The Board approved the amount of \$1,925 in support of the Pulaski County High school students attendance at the national VICA meeting per the Community Organization Assistance Committee recommendation.

b. Community Corrections Act Grants Acceptance

The Board accepted two Community Corrections Act grant awards in the amount \$38,549 for the New River Adult and Juvenile Criminal Justice Planning and \$271,959 for Community Corrections.

c. DCJS Sheriff's Department Grant Application

The Board approved a grant application from the Sheriff's Department to the Department of Criminal Justice Services for an additional Deputy to serve as an additional School Resource Officer. Grant application in the amount of \$30,217 with a local match of \$7,554.

e. Personnel Changes

The Board reviewed personnel changes as reported by Management Services Director Nancy Burchett.

f. Joint Powers Agreement for Employee Health Insurance

The Board approved a Joint Powers Agreement with the Virginia Municipal League for employee health insurance effective July 1, 1999, subject to approval by the county attorney. A copy of the agreement shall be filed with the Office of the County Administrator.

g. Resolution Accepting Gift from Estate of Winfield S. Smith

The Board adopted the following resolution accepting the gift from the Estate of Winfield S. Smith:

Winfield S. Smith, a resident of Chicago, Illinois, died on February 12, 1999, leaving an Estate know as The Estate of Winfield S. Smith, under which The Northern Trust Company is a fiduciary, and which provides a gift of 5% of the 1/3 of the residue to Pulaski County Library, Pulaski, Virginia.

Therefore, it is resolved that the gift is hereby accepted by Pulaski County. It is further resolved that Joseph N. Morgan, acting as the County Administrator of this organization is authorized, on behalf of Pulaski County, to (1) accept payment, (2) execute receipts and other documents, and (3) receive notices, make and communicate decisions as necessary to facilitate administration of the Estate.

h. Frances Stanley Rent Agreement

The Board approved the request of Ms. Frances Stanley to continue to rent property at the New River Industrial Park for one year for \$150.00, subject to 30 day cancellation notice.

i. Scheduling of Public Hearings for Property Acquisition on Rt. 100

No action on the above matter was taken at this meeting.

9. Citizen Comments

No citizen comments were heard at this time.

10. Other Matters from Supervisors

Supervisor Conner commended the Resource Officer and DARE programs in the county school system.

Supervisor Fariss noted that the term "Resource Officer" is confusing.

Supervisor White requested the zoning administrator to contact the Tyson's Hills vacant property owner regarding the property's need for mowing and cleanup. He further requested he be notified once the property owner had been contacted.

Supervisor Fariss requested an update be provided in a weekly update as to whether the competitiveness center tenants are establishing businesses, and if so, is it encouraged.

Supervisor Fariss suggested a group be established to review complaints regarding building maintenance and littering ordinance violations. Staff suggested that the Clean Community Council be used for this purpose.

11. Executive Session – 2.1-344(A)

On the motion of Mr. Conner, seconded by Mr. White 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. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Absent: Mr. Cook.

Return to Regular Session

On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board of Supervisors returned to regular session.

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

Voting no: none.

Absent: Mr. Cook.

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. Sheffey, Mr. White and Mr. Conner.

Voting no: none.

Absent: Mr. Cook.

RE: Appointments:

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors made the following appointments:

1. PEP Steering Committee

The Board requested staff to provide a listing of the PEP industry appointee nominees to be reviewed at the July 26, 1999 meeting.

2. NRV Alliance Board of Directors

The Board confirmed the appointments of Supervisor Charles Cook and County Administrator, Joseph Morgan, to the NRV Alliance Board of Directors.

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

Voting no: none.

Absent: Mr. Cook.

12. Adjournment

It was moved by Mr. White, seconded by Mr. Conner that the meeting be adjourned. The next regularly scheduled meeting of the Board is set for July 26, 1999 at 7 p.m. at the County Administration Building, Board Room, 143 3rd Street, NW, in the Town of Pulaski, Virginia.

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

Voting no: none.

Absent: Mr. Cook.

Joseph L. Sheffey, Chairman

Joseph N. Morgan, Clerk