

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 21, 2001, at 7:00 p.m. at the 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, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included County Administrator, Peter M. Huber; Management Services Director, Nancy M. Burchett; and Executive Secretary, Gena Hanks. Also present was Thomas J. McCarthy, Jr., County Attorney

1. Invocation

The invocation was given by Reverend Terrie Sternberg of Trinity Lutheran Church.

The county administrator introduced David Tickner as the county's new Community Development Director effective May 21, 2001.

2. Additions to Agenda

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

3. Public Hearings:

- a. A rezoning request by the following property owners for rezoning from Residential (R-1) to Agriculture (A-1) on property located within **Chicwood Estates**, Massie/Robinson Districts: 046-006-0000-0002; Henley, Burley W. & Shirley D. 046-006-0000-0004; Papsidero, Ralph L. Jr. & Barbara A. 046-006-0000-0006; Phillips, Billy G. & Kay 046-006-0000-0007; Whitaker, Wayne Michael & Gaye Y. 046-006-0000-0008; Jones, Douglas A. 046-006-0000-0009; Bird, Dennis C. & Michelle Y. 046-006-0000-0010; Phipps, Walter J. & Diane L. 046-006-0000-0012; Wilson, Donald W. & Sharon Q. 046-006-0000-0017; Killian, Wayne P. & Cynthia L. 046-006-0000-0018; Webb, Richard D. & Diane R. 046-006-0000-0019, 20; Maxwell, Richard J. & Barbara A. Cole 046-006-0000-0022; Jones, Michael W.

County Administrator Peter Huber explained the request and advised that four of the original applicants on the issue had withdrawn their names from the request. He further explained there are currently 25 lots in the Chicwood Estates Subdivision and 12 of the owners of those lots wish to

remain R1 zoning. Mr. Huber advised the Planning Commission had recommended denial of the request.

The Chairman opened the public hearing.

Mr. Jim Peters, a resident of Chicwood Estates, spoke in opposition to the proposed rezoning and requested the Board of Supervisors develop a ordinance that would address the animal companion issue.

Mr. Burley Henley, a resident of Chicwood Estates, spoke in favor of the request and requested the Board oppose the Planning Commission's recommendation of denial.

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

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board of Supervisors deny the proposed rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- b. A rezoning request by **C. R. Dalton** from Residential (R1) to Conditional Agriculture (A1) and site plan review to allow two apartments for a total of three dwellings on property identified by tax map no. 076-001-0000-077A, (32.9290 acres), located at 4700 Shelburne Rd., Ingles District.

The Chairman explained the rezoning request had been tabled by the Planning Commission at its May meeting and would be carried over to the June Planning Commission meeting, as well as the June 25 Board of Supervisors meeting.

- c. A request for a special use permit and site plan review by **William M. Kegley Sr.** for placement of a manufactured home as the seventh dwelling, on property identified as tax parcel 044-001-0000-0022, (1158.594 acres), zoned Agricultural (A-1), located at 6085 Alum Spring Rd, Robinson District.

The Chairman and county administrator explained the request and the Planning Commissions recommendation for approval.

The Chairman opened the public hearing. No citizen comments were heard and the Chairman closed the public hearing.

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board approve the request, as recommended by the Planning Commission, subject to all conditions being met as set forth by the Planning Commission

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

Voting no: none.

- d. A request by **Walley V. Hedlesky** for a Conditional Use Permit (CUP) to allow a private airstrip on property identified by tax map no. 019-001-0000-0017, (157.6080 acres), zoned Agricultural (A-1), located at 6020 Highland Rd, Cloyd District.

The Chairman and county administrator explained the request, specifically that the matter had previously been tabled by the Planning Commission at its May meeting to allow the New River Valley Airport Commission to comment on the request.

The Chairman opened the public hearing.

Ms. Walley Hedlesky spoke in favor of the request.

There being no further comments, the Chairman closed the public hearing.

It was moved by Mr. Conner, seconded by Dr. Fariss and carried, that the Board approve the request, as recommended by the Planning Commission, and subject to the applicant complying with the guidelines set forth by the Planning Commission and New River Valley Airport Commission.

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

Voting no: none.

- e. An Ordinance Establishing a **Motor Vehicle License Tax** for the County of Pulaski, and Establishing Administrative Procedures for Said Ordinance, Pursuant to the Authority Contained in Title 46.2-752 of the 1950 Code of Virginia, As Amended.

The Chairman explained the request. County Attorney McCarthy explained the proposed amendments.

The Chairman opened the public hearing.

Mr. Marvin Covey and Mr. Elmer Mottesheard spoke in favor of the proposed ordinance amendment.

It was moved by Mr. Cook, seconded by Mr. Hale and carried, that the Board adopt the following ordinance amendments, with the ordinance reflected in the minutes in its entirety:

AN ORDINANCE AMENDING MOTOR VEHICLE LICENSE TAX FOR THE COUNTY OF PULASKI, AND ESTABLISHING ADMINISTRATIVE PROCEDURES FOR SAID ORDINANCE. PURSUANT TO THE AUTHORITY CONTAINED IN TITLE 46.2-752 OF THE 1950 CODE OF VIRGINIA, AS AMENDED

BE IT ORDAINED by the Pulaski County Board of Supervisors:

Section I. Intent and Applicability

Every motor vehicle operated on the streets, highways or roads within the County, in business or for the private use or benefit of the owner, shall be subject to a license tax as provided in this ordinance. The provisions of this ordinance, however, shall not be construed to apply to engines, locomotive engines, electric cars running on rails; motor vehicles, trailers or semi-trailers owned by the Commonwealth, by any political subdivision of the Commonwealth or by the United States Government; or to vehicles used exclusively for agricultural or horticultural purposes which do not bear license plates issued by the Commonwealth of Virginia; or vehicles held for sale by any manufacturer or dealer, or antique motor vehicles duly licensed as antique motor vehicles and not used

for general purposes. Nor shall any provisions of this article apply to motor vehicles of owners resident in any incorporated town in the county, which town imposes a license tax upon owners and motor vehicles in the town. Nothing in this ordinance shall be construed to require a license tax on a person or upon any vehicle exempted from same under the provisions of any of the statutes of the Commonwealth, nor any person who does not actually reside in the County or who does not use his automobile in the County. The word "reside" as used herein shall be construed to mean "to have a place of abode in the County," irrespective of the intention of any person to return to some residence outside of the County at some future date.

Section II. Amount of License Tax

- a. Automobiles and Trucks. On every automobile and truck to which this ordinance is applicable there shall be a tax of ~~ten~~ twenty dollars per annum.
- b. Motorcycles licensed by the Commonwealth of Virginia. Motorcycles licensed by the Commonwealth of Virginia, there shall be a tax of \$8.00 per annum.

The license tax year shall commence on April 1 and expire on March 31 of each year.

Section III. Proration of Tax

Whenever any such license tax becomes assessable in any month after the month in which the tax for the full year is assessable, the license tax shall be prorated on a monthly basis, with the tax due equal to one-twelfth of the tax set out above multiplied by the remaining number of months in the tax year from the date of registration of the vehicle in the applicant's name. Each license issued upon the payment of the license tax thereon shall expire at the end of the license tax year in which such license is issued.

Section IV. Payment of Property Tax Prerequisite to Issuance

No vehicle taxable under the provisions of this ordinance shall be licensed unless and until the applicant for such license shall have produced satisfactory evidence that all personal property taxes upon the vehicle to be licensed, which personal property taxes have been assessed or are assessable against such applicant, have been paid.

Section V. Application; issuance generally; display of stickers; loaning, selling, etc., sticker to another prohibited.

Any person coming under the provisions of this ordinance shall make application for a license upon forms supplied by the Treasurer of the County, at the Office of the Treasurer in the Courthouse at Pulaski, Virginia; and, upon payment of required tax, shall be issued, as evidence, stickers which shall be attached to the front windshield of the vehicle so licensed so as to be readily recognized. Failure to display stickers shall be considered a violation even though the license tax has been paid. It shall be unlawful for any person to whom a sticker is issued upon the payment of any license tax prescribed in this ordinance, to give, loan, rent, sell, assign or transfer such sticker to another or to otherwise permit another to use in any manner such sticker during the license tax year for which the same is issued.

Section VI. Refunds

Any person holding a current registration certificate and license who disposes of the vehicles for which is was issued and does not purchase another vehicle may surrender the license and registration certificate to the Treasurer of the County, with a statement that the vehicle for which the license was issued has been sold, and request a refund for the unused portion of the fee paid. The Treasurer shall refund to the applicant one-half of the total cost of the registration and license if application for such refund is made prior to October 1 of the current license year, but such refund shall be only one-third of such total cost when the application thereof is made subsequent to October 1 of the current license year, but prior to January 1 of the current license

year. No refund shall be made when application therefore is made after January 1 of the current license year.

Section VII. Duplicate Tags

In the event any license issued under the provisions of this ordinance shall be lost or mutilated or shall have become illegible, the person who is entitled thereto shall make immediate application for an obtain a duplicate or substitute therefore, upon furnishing information of such fact satisfactory to the Treasurer and upon payment of one dollar.

Section VIII. Disposition of Taxes and Fees

The revenue derived from all county license taxes and fees imposed under authority of this ordinance shall be applied to general county purposes.

Section IX. Transfer of Tags

In the event any person desires to transfer any license issued under the provisions of this ordinance to another vehicle, such person shall make application for such transfer to the Treasurer of the County, who shall transfer such license upon the payment of a fee of one dollar.

Section X. Violations, Penalties

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and shall be fined not exceeding twenty dollars (\$20.00) per day, and each day shall constitute a separate offense, pursuant to Title ~~46.1-65 (e)~~ 46.2-752. Trial of all violations of this ordinance shall be enforced by proceedings before the General District Court in the manner and with like right of appeal as is provided in misdemeanor cases; and the Sheriff and all deputies and police officers of the County are hereby authorized to issue summons in writing to violators of this ordinance for their appearance before such court. All fines collected from any person for violating any provisions of this ordinance, upon conviction thereof, shall be credited to the general fund of the County and deposited by the County Treasurer in the same manner as that prescribed for County monies.

Section XI. Special Exemptions

Each member of any Volunteer Fire Department or Rescue Squad located within Pulaski County, Virginia, shall not be assessed such license fee for one (1) vehicle used by such member, and that a disabled Veteran, as defined by the Code of Virginia, shall not be required to purchase such license.

Section XII. Severability

Should any section of this ordinance be adjudicated unlawful or unconstitutional by a court of competent jurisdiction, the remaining section shall remain in effect and shall be enforced by officers of the County.

Adopted this 21st day of May, 2001.

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

Voting no: none.

f. Redistricting

The county administrator explained the purpose of the proposed redistricting, the summary and map and advised the summary and the map had been mailed to both governmental parties, local governments, School Board and constitutional officers and that any action by the Board would be sent to the Justice Department for approval.

The Chairman opened the public hearing.

There were no citizen comments heard.

It was moved by Mr. Cook, seconded by Dr. Fariss and carried, that the Board adopt the following redistricting plan:

CLOYD ELECTION DISTRICT

Beginning at the northeastern boundary of Pulaski County at the point where New River intersects Giles County and; thence southwest along the northeastern boundary of Pulaski County with Giles County, to the point where U. S. Route 100 intersects the Giles

County and Pulaski County boundary and; thence following the center line of U. S. Route 100 south to the point where U. S. Route 100 intersects a gas pipeline just north of the Dublin Town corporate limits; thence east along the center line of said pipeline to its intersection with State Route 617 (Ruebush Road); thence south along the center line of State Route 617, to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 northeast to the point where U. S. Route 11 intersects State Route 747; thence 142° in a southeastern direction to New River; thence north following the center line of New River to the point of beginning.

DRAPER ELECTION DISTRICT

Beginning at the point where New River intersects the Wythe County/Pulaski County boundary; thence north following the center of New River in a northeasterly direction to its intersection with State Route 662; thence following the center line of State Route 662 in a northerly direction to its intersection with State Route 611; thence following the center line of State Route 611 west to its intersection with State Route 682; thence north following the center line of State Route 682 to its intersection with U. S. Route 100; thence north along the center line of U. S. Route 100 to its intersection with State Route T1030; thence east along the center line of State Route T1030 to its intersection with State Route 1053 (Borman Drive); thence north along the center line of State Route 1053 extended to its intersection with Locust Avenue; thence north along Locust Avenue within the Town of Dublin to its intersection with East Main Street (State Route 747); thence in a westerly direction following the center line with East Main Street to its intersection with Giles Avenue; thence in a northerly direction following the center line of Giles Avenue to the intersection of U. S. Route 11 with Giles Avenue; thence in a easterly direction following the center line of U. S. Route 11 to its intersection with the Town of Dublin town limits; thence following the town limits northwesterly to its intersection with State Route 746; thence following the center line of State Route 746 north to its intersection with a gas pipeline located just north of the Dublin Town corporate limits; thence west along the center line of said pipeline to its intersection with U. S. Route 100; thence following the center line of U. S. Route 100 south to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 to its intersection with State Route 643 (Cougar Trail Road); thence following center line of State Route 643 south to the intersection of State Route 611; thence following the center line of

State Route 611 east to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south to its intersection with Peak Creek; thence following the center line of Peak Creek in a southwesterly direction to its intersection with Norfolk and Western Railroad track near the eastern boundary of the Town of Pulaski; thence west following the center line of said tracks to the intersection of said tracks with U. S. Route 11; thence following the center line of U. S. Route 11 to the crest of Draper's Mountain; thence following the crest of Draper's Mountain to the Wythe County/Pulaski County boundary; then following said boundary in a southeasterly direction to the point of beginning.

INGLES ELECTION DISTRICT

Beginning at the point where New River intersects the Wythe County/Pulaski County boundary; thence in a northeasterly direction following the center line of said river to the intersection of State Route 662; thence northwest following the center line of State Route 662 to its intersection with State Route 611; thence following the center line of State Route 611 west to its intersection with State Route 682; thence north following the center line of State Route 682 to its intersection with U. S. Route 100; thence north along the center line of U. S. Route 100 to its intersection with State Route T1030; thence east along the center line of State Route T1030 to its intersection with State Route 1053 (Borman Drive); thence north along the center line of State Route 1053 extended to its intersection with Locust Avenue; thence north along Locust Avenue within the Town of Dublin to its intersection with East Main Street (State Route 747); thence in a westerly direction following the center line with East Main Street to its intersection with Giles Avenue; thence in a northerly direction following the center line of Giles Avenue to the intersection of U. S. Route 11 with Giles Avenue; thence following the center line of U. S. Route 11 in a easterly direction to its intersection with the Town of Dublin town limits; thence following the town limits northwesterly to its intersection with State Route 746; thence following the center line of State Route 746 to its intersection of a gas pipeline located just north of the Dublin Town corporate limits; thence east along the center line of said gas pipeline to its intersection with State Route 617; thence south on State Route 617 to its intersection with U. S. Route 11; thence in a northeastern direction following the center line of U. S. Route 11 to U. S. Route 11's intersection with State Route 747; thence 142° south to New River and intersection with Montgomery County/Pulaski County boundary; thence following said boundary in

a southeasterly direction to the point where Montgomery County, Pulaski County and Floyd County intersect; thence southwest following the Pulaski County boundary to the point where Carroll County, Wythe County and Pulaski County intersect; thence northwest with the Pulaski County boundary to the point of beginning.

MASSIE ELECTION DISTRICT

Beginning at the point where U. S. Route 100 intersects the Pulaski County/Giles County boundary; thence following the center line of U. S. Route 100 south to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 to its intersection with State Route 643 (Cougar Trail Road); thence following the center line of State Route 643 south to its intersection with State Route 611; thence following the center line of State Route 611 east to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south to its intersection with Peak Creek; thence following the center line of Peak Creek west to its intersection with Norfolk and Western Railroad tracks near the southern corporate limits of the Town of Pulaski; thence following a center line of said tracks west to its intersection with Washington Avenue; thence following the center line of Washington Avenue north to its intersection with Fifth Street; thence east following the center line of Fifth Street to intersection of Fifth Street and U. S. Route 11; thence north following the center line of said U. S. Route 11 to its intersection with State Route 636 (Alum Spring Road); thence following the center line of State Route 636 north to its intersection with State Route 645; thence following the center line of State Route 645 east to its intersection with State Route 11; thence following State Route 11 to its intersection with State Route 643 (Thornspring Road); thence following the center line of State Route 643 to its intersection with State Route 636 (Alum Spring Road); thence north along the center line of State Route 636 to its intersection with the crest of Little Walker Mountain; thence following a southwest line along the crest of said mountain to its intersection with State Route 738; thence northwest to the intersection of State Route 738 with the Pulaski County/Bland County boundary; thence northeast with the Pulaski County boundary to the point of beginning.

ROBINSON ELECTION DISTRICT

Beginning at the point where crest of Draper's Mountain intersects the Wythe County/Pulaski County boundary; thence following the

crest of Draper's Mountain east to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 to its intersection with Washington Avenue; thence following the center line of Washington Avenue north to the intersection of Washington Avenue and Fifth Street; thence following the center line of Fifth Street east to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 north to the intersection of State Route 636 (Alum Spring Road) and U. S. Route 11; thence north to the intersection of State Route 636 and 645; thence following the center line of State Route 645 east to its intersection U. S. Route 11; thence following the center line of U. S. Route 11 to its intersection with State Route 643 (Thornspring Road); thence following the center line of State Route 643 to its intersection with State Route 636 (Alum Spring Road); thence north along the center line of State Route 636 to its intersection with the crest of Little Walker Mountain; thence southwest along said crest to the intersection of said crest with State Route 738; thence northwest to State Route 738 to the Bland County/Pulaski County boundary; thence southwest following said county boundary to the point of beginning.

PRECINCT BOUNDARIES

The boundaries of the respective precincts with the Election Districts are as follows:

BELSPRING VOTING PRECINCT (Cloyd Election District)

Beginning at the point where New River intersects the Montgomery County/Giles County and Pulaski County boundary; thence following the center line of said river south to its intersection with State Route 623; thence following the center line of State Route 623 south to its intersection State Route 600 (Belspring Road), thence following the center line of State Route 600 northwest to its intersection with State Route 624 (Hickman Cemetery Road); thence south following the center line of State Route 624 to its intersection with State Route 625; thence northwest following the center line of State Route 625 to its intersection with State Route 627; thence following the center line of State Route 627 northwest to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence following said electrical transmission line in a northwesterly direction to the intersection of said line with the Giles County/Pulaski County boundary; thence following said boundary in a northeasterly direction to the point of beginning.

NEW RIVER VOTING PRECINCT (Cloyd Election District)

Beginning at the point where State Route 747 intersects with U. S. Route 11; thence following a line 142° south to its intersection with New River; thence following the center line of New River in a northeasterly direction to its intersection with State Route 623; thence following the center line of State Route 623 southwest to its intersection with State Route 600 (Belspring Road); thence following the center line of State Route 600 northwest to its intersection with State Route 624 (Hickman Cemetery Road); thence following the center line of State Route 624 south to its intersection with State Route 625; thence following the center line of State Route 625 to its intersection with State Route 627; thence following the center line of State Route 627 northwest to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence following said line southeast to its intersection with U. S. Route 11; thence northeast to the point of beginning.

WEST CLOYD VOTING PRECINCT (Cloyd Election District)

Beginning at the point where U. S. Route 100 intersects the Giles County/Pulaski County boundary; thence following a center line of U. S. State Route 100 south to its intersection with a gas pipeline just north of the Dublin Town corporate limits; thence east along the center line of said pipeline to its intersection with State Route 617 (Ruebush Road); thence south along the center line of State Route 617, to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 northeast to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence following the Appalachian Power Company electrical transmission line northwest to its intersection with the Pulaski County/Giles County boundary; thence following said boundary southwest to the point of beginning.

DRAPER VOTING PRECINCT (Draper Election District)

Beginning at the point where New River intersects the Wythe County/Pulaski County boundary; thence in a northeasterly direction to the point where State Route 672 (Lowman's Ferry Road) intersects New River; thence following the center line of State Route 672 northwest to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south to its intersection with State Route 99; thence following the center line of State Route 99 to the crest of Draper's Mountain; thence in a

westerly direction with the crest of Draper's Mountain to the point where Draper's Mountain intersects the Wythe County/Pulaski County boundary; thence southeast following the Wythe County/Pulaski County boundary to the point of beginning.

NEWBERN VOTING PRECINCT (Draper Election District)

Beginning at the point where State Route 672 (Lowman's Ferry Road) intersects New River; thence following the center line of State Route 672 northwest to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 northeast to its intersection with State Route 611; thence following the center line of State Route 611 west to its intersection with State Route 643 (Cougar Trail Road); thence following the center line of State Route 643 northwest to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 east to its intersection with Giles Avenue; thence following the center line of Giles Avenue south to its intersection with East Main Street; thence following the center line of East Main Street northeast to its intersection with Locust Avenue; thence south along the center line of Locust Avenue extended to its intersection with State Route 1053 (Borman Drive); thence south along the center line of State Route 1053 to its intersection with State Route T1030; thence west along the center line of State Route T1030 to its intersection with State Route 100; thence following the center line of U. S. Route 100 south to its intersection with State Route 682; thence following the center line of State Route 682 south to its intersection with State Route 611; thence following the center line of State Route 611 east to its intersection with State Route 662; thence following the center line of State Route 662 southeast to its intersection with New River; thence following the center line of New River southwest to its point of beginning.

SOUTH PULASKI VOTING PRECINCT (Draper Election District)

Beginning at the point where U. S. Interstate 81 intersects Peak Creek; thence southwest following the center line of U. S. Interstate 81 to its intersection with State Route 99; thence following the center line of State Route 99 northwest to the crest of Draper Mountain; thence following the crest of Draper Mountain southwest to the intersection of Draper Mountain with U. S. State Route 11. Thence following the center line of U. S. State Route 11 north to its intersection with Norfolk and Western Railroad tracks; thence following the center line of the Norfolk and Western Railroad tracks

east to its intersection with Peak Creek; thence following the center line of Peak Creek east to the point of beginning.

NORTH DUBLIN PRECINCT (Draper Election District)

Beginning at the point where U. S. Route 100 intersects a gas pipeline located just north of the Dublin Town corporate limits; then following said pipeline east to its intersection with State Route 746; thence following the center line of State Route 746 south to its intersection with the town limits of the Town of Dublin; thence east along the town limit line to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 southwest to its intersection with U. S. Route 100; thence following the center line of U. S. Route 100 to the point of beginning.

DUBLIN VOTING PRECINCT (Ingles Election District)

Beginning at the point where Little River and New River intersect; thence following the center line of New River southwest to its intersection with State Route 662; thence following the center line of State Route 662 northwest to its intersection with State Route 611; thence following the center line of State Route 611 west to its intersection with State Route 682; thence following the center line of State Route 682 northwest to its intersection with U. S. Route 100; thence following the center line of U. S. Route 100 north to its intersection with State Route T1030; thence east along the center line of State Route T1030 to its intersection with State Route 1053; thence north along the center line of State Route 1053 (Borman Drive) extended to its intersection with Locust Avenue in the Town of Dublin; thence north along the center line of Locust Avenue to its intersection with East Main Street; thence west along East Main Street to its intersection with Giles Avenue; thence following the center line of Giles Avenue northwest to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 east to its intersection with the Town limits of the Town of Dublin; thence following the town limits line northeast to its intersection with State Route 746; thence following the center line of Route 746 north to its intersection with a gas pipeline located just north of the Dublin Town corporate limits; thence east along the center line of said gas pipeline to its intersection with State Route 617 (Ruebush Road); thence south on State Route 617 to its intersection with U. S. Route 11; thence following the center line of U. S. route 11 northeast to its intersection with State Route 747; thence following a straight line 142° south to its intersection with New River; thence following the

center line of New River in a southeasterly direction to the point of beginning.

HIWASSEE VOTING PRECINCT (Ingles Election District)

Beginning at the point where New River intersects the Wythe County/Pulaski County boundary; thence following the center line of New River in a northeasterly direction to its intersection with State Route 672 (Lowman's Ferry Road) at Lowman's Ferry Bridge; thence south along the center line of Route 672 (Lowman's Ferry Road) to its intersection with State Route 693 (Lead Mines Road); thence east along the center line of State Route 693 to its next intersection with Route 672 (Baptist Hollow Road); thence southeast along the center line of State Route 672 to its intersection with State Route 803; thence south along the center line of State Route 803 to its terminus; thence southeast in a straight line to the intersection of the Pulaski, Floyd and Carroll County boundaries; thence following the southern Pulaski County boundary southwest to the point where Pulaski County, Carroll County and Wythe County intersect; thence following Pulaski County boundary northwest to the point of beginning.

SNOWVILLE VOTING PRECINCT (Ingles Election District)

Beginning at the point where Little River and New River intersect; thence following the center line of New River southwest to its intersection with State Route 672 (Lowman's Ferry Road) at Lowman's Ferry Bridge; thence south along the center line of Route 672 to its intersection with State Route 693 (Lead Mines Road); thence east along the center line of State Route 693 to its next intersection with Route 672 (Baptist Hollow Road); thence southeast along the center line of State Route 672 to its intersection with State Route 803; thence south along the center line of State Route 803 to its terminus; thence southeast in a straight line to the intersection of Pulaski, Floyd and Carroll County boundaries; thence following the southern Pulaski County boundary northeast to the point where Floyd County, Montgomery County and Pulaski County intersect; thence following the Pulaski County boundary northeast to the point of beginning.

MASSIE VOTING PRECINCT (Massie Election District)

Beginning at the point of the intersection of State Route 636 (Alum Spring Road) and State Route 645; thence following the center line

of State Route 645 to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 to its intersection with State Route 643 (Cougar Trail Road); thence following the center line of State Route 643 south to its intersection with State Route 611; thence following State Route 611 east to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south to its intersection with Peak Creek; thence following the center line of Peak Creek west to its intersection with the Norfolk and Western Railroad tracks near the corporate limits of the Town of Pulaski; thence following the center line of the Norfolk and Western Railroad tracks west to its intersection with Washington Avenue; thence following the center line of Washington Avenue north to the intersection of Washington Avenue and Fifth Street; thence following the center line of Fifth Street east to its intersection with U. S. Route 11; thence following the center line of U. S. Route 11 north to the intersection of State Route 636; thence following the center line of State Route 636 north to the point of beginning.

WALKER VOTING PRECINCT (Massie Election District)

Beginning at the point where U. S. Route 100 intersects the Giles County/Pulaski County boundary; thence following the center line of U. S. Route 100 south to its intersection with U. S. Route 11; thence west on U. S. Route 11 to its intersection with State Route 643 (Thornspring Road); thence west on the center line of State Route 643 to its intersection with State Route 636 (Alum Spring Road); thence following the center line of State Route 636 northwest to its intersection with crest of Little Walker Mountain; thence following crest of said mountain to its intersection with State Route 738; thence northwest following the center line of State Route 738 to the Bland County/Pulaski County boundary thence northeast following said boundary to point of beginning. ROBINSON VOTING PRECINCT (Robinson Election District)

The description of Robinson Voting Precinct shall be the same as that for Robinson Election District. Therefore, there shall be but one voting Precinct for Robinson District.

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

4. Highway Matters:

a. Follow-up from Previous Board meeting

The Board met with Assistant Resident Engineer John Thompson regarding the following highway matters:

1. Rural Addition Status Report

Staff presented an update regarding rural additions. The county administrator advised a letter had been received from a resident of Pulaski County asking that a road be added to the rural addition list.

The Board requested staff provide an update on Deerwood Drive, School House Lane, Harry DeHaven Park Road and Edgewood Drive at its June meeting. Further, the Board requested a complete listing of rural additions be provided the Board via the weekly update.

VDOT requested staff provide a length for the resolution previously adopted by the Board pertaining to the Cook's Crossing rural addition.

2. Informal Speed Study on Parrott River Road, Route 600 Between Railroad Trestles

VDOT reported on the process of performing the study and will provide an update the Board's June 25 meeting.

3. Informal Speed Study on Rt. 600, Belspring Road Rt. 600 between Parrott and Route 114

VDOT reported it had discussed the matter with the Safety and Traffic Division of VDOT and VDOT will view the road and give an opinion on the speed limit request. An update will be provided at the June Board meeting.

4. Results of contractor default negotiations with bonding company on Cox Hollow Road

VDOT advised it had nothing additional to report due to the issue being a legal matter and continuing to be pursued.

5. Hatcher Road, Route 807, Improvements

VDOT advised on the process of obtaining right-of-way and that easements had been given to Ms. Ellen Kate Carson, at her request, for personally contacting property owners. VDOT further advised construction should begin in approximately three months.

6. Request for School Zone Warning light on Brandon Road

Staff was requested to follow-up with the School Board staff on this request.

7. Request for Speed Limit Study and Signs on Valley Road

VDOT advised the speed limit is currently posted at 25 mph, with the area outside of the Town of Pulaski unposted.

It was moved by Mr. Cook, seconded by Mr. Hale and carried, that the Board approve VDOT conducting a formal speed study on this road.

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

Voting no: none

8. Request for 25 mph Speed Limit Posting on Rt. 612, Creek Road

VDOT recommended no action be taken on this request.

9. Status of Improvements to Little Creek Road and Edgewood Drive

VDOT advised construction on Edgewood Drive will begin once the weather improves.

10. Rt. 114 & Viscoe Road Intersection Warning Light

VDOT advised discussions had been held with VDOT Traffic and Safety Division representatives and installation of the advanced warning lights will occur during the summer of 2001.

b. Resolution for Additions to Secondary System

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the following resolution be adopted:

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Pulaski County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5(A) to the Secondary System of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

Voting no: none

c. Request for Guardrail on Winding Way Drive

Staff was requested to confirm the location of this road and once confirmed, advise VDOT to add to guardrail list.

d. Board of Supervisors Concerns

Supervisor Conner advised VDOT of deterioration of the shoulder along Rt. 11, just after turning right off of Cougar Trail Road onto Rt. 11.

Supervisor Hale requested Board members be provided a copy of the paving schedule for the summer of 2001.

Supervisor Cook inquired regarding the status of Stilwell Road, specifically in having the shoulders straightened. VDOT advised money will have to be placed in next fiscal year's budget. Supervisor Cook requested this road be added to the follow-up listing.

Supervisor Cook inquired regarding funding status for cutting grass. VDOT advised grass is scheduled to be cut throughout the summer.

Supervisor Fariss requested Routes 750 and 752 be added to the six-year plan waiting list.

Supervisor Sheffey inquired as to the status of Memorial Bridge replacement. VDOT advised the contract had been issued and plans are to keep one bridge open until the other is completed, with an estimated three seasons expected to complete the overall project.

e. Citizen Comments

Mr. E. W. Harless inquired regarding improvements to the road over Cloyd's Mountain, specifically expressing concerns regarding the outside of the road giving away. VDOT advised the road appears to be stabilized and there are currently no planned improvements.

5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report and offered to answer any questions the Board of Supervisors may have.

6. Citizens' Comments

Mr. William David Gravely requested an additional 30 days to perform cleanup of his property.

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve allowing Mr. William David Gravely an additional 30 day extension to clean up his property, conditioned upon county staff being allowed to visit the property sometime within the last five days of the 30 day extension to confirm improvements have been made, and report back to the Board at its June meeting.

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

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable

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

Supervisor Cook inquired as to the status of the large item drop off sites.

Supervisor Fariss inquired regarding direct debit payment procedures. Staff explained testing of several county employees' accounts is currently underway, as a way of confirming the process will perform accordingly.

Supervisor Cook inquired as to the status of the Draper Mountain Overlook account.

Supervisor Sheffey noted the status under the "Target Date" for the "Visitor's Center Design" should note "July 2001, and that the "Target Date" for the "Old Landfill Sewer Extension Rt. 100" should indicate a status of "COMPLETED".

b. Appointments:

The Board deferred the following appointments until the Closed Meeting session of the meeting: PEP Committees and Workforce Investment Board: PEP Committees and Workforce Investment Board.

8. Items of Consent:

It was moved by Mr. Conner, seconded by Mr. Hale that the items of consent be approved. No vote was called for.

A substitute motion was made by Dr. Fariss, seconded by Mr. Cook and carried, to approve all items of consent, except for item "j".

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

Voting no: Mr. Hale, Mr. Conner.

a. Minutes of April 9, 23, & 30, 2001

The Board approved the minutes of the April 9, 23, and 30, 2001 meetings.

b. Accounts Payable

The Board approved the accounts payable listing as presented on check numbers 32069 through 32344.

c. Appropriations and Transfers:

1. Appropriations:

◆ General Fund Appropriations #18 - \$198,435.00

Revenues:

2301-01- Comp. Bd. Comm. Attorney Salaries \$ 2,272.00

1899-60 – Office on Youth Donations 520.00

1899-44 – DARE Donations 1,000.00

2302-05 – Prisoner Extradition Reimbursements 21,744.00

1615-07 – RIF Program Library 982.00

1901-27 – NR Criminal Justice Offenders Fees 7,464.00

2404-52 – DJCS Grant NR Criminal Justice 155,243.00

Total \$ 189,225.00

Expenditures:

| | | |
|---|----|--------------|
| 2104-4001 J&D Court Maint. Serv. Contract | \$ | 609.00 |
| 2104-4001 J&D Court Data Processing | | 300.00 |
| 2104-5804 J&D Court Dues & Subscriptions | | 50.00 |
| 2104-7001 J&D Court Machinery & Equipment | | 6,482.00 |
| 2201-1003 Comm. Attorney Part-time Salaries | | 2,272.00 |
| 3102-5427 Sheriff DARE Supplies | | 1,000.00 |
| 3102-5505 Sheriff Extradition of Prisoners | | 21,744.00 |
| 3307-300915 NRPDC Offender Fees | | 7,464.00 |
| 3306-3009 DJCS NR Criminal Justice Grant | | 155,243.00 |
| 7105-5101 County Parks Electricity | | 1,000.00 |
| 9104-5804 Erroneous Assessments Refunds | | 1,746.00 |
| 9310-5823 Revenue Refunds Bldg. Permits | | 63.00 |
| 9310-5825 Revenue Refund County Taxes | | 437.00 |
| 9310-5835 Revenue Refund Permits | | <u>25.00</u> |

Total \$198,435.00

◆ Capital Improvements Fund #11

Revenues:

| | | |
|--------------------------------------|----|----------|
| 5102-00 – Transfer from General Fund | \$ | 6,665.00 |
|--------------------------------------|----|----------|

Expenditures:

| | | |
|--|----|---------------|
| 2104-3002 – J&D Relations Court Prof. Services | \$ | 1,000.00 |
| 2104-5407 – J&D Domestic Relations Court Renovations | | 4,766.00 |
| 4306-7032 – Central Gym Renovations | | 570.00 |
| 4309-3002 – Sheriff's Office Randolph Park | | <u>329.00</u> |

\$ 6,665.00

◆ REMSI Transfer #1

Expenditures:

| | | |
|--|----|------------------|
| 009-3231-505410 Uniform & Wearing Apparel | \$ | (650.00) |
| 009-3232-505312 Accident Insurance | | (90.00) |
| 009-3232-506013 Educational/Instructional | | (500.00) |
| 009-3233-501001 Salaries & Wages | | (500.00) |
| 009-3233-502002 Retirement | | (200.00) |
| 009-3233-506014 Other Operational Supplies | | <u>+2,298.75</u> |

Total \$ 0

Interoffice Transfer #11 - \$42,497.01

The Board approved interoffice transfer number 11 in the amount of \$49,497.91, as prepared by Assistant County Administrator Nancy M. Burchett.

Regional Welfare Reform Grant

The Board approved FY 2002 funds per the request of Social Services Director James Wallis, in the amount of \$175,367.50. Said funds are to be 100% reimbursed.

d. Ratification:

1. Change Orders – The Board approved change order number one for the Cloyd's Mountain Leachate Pump Station in the amount of \$12,819.00.
2. Agreements, Grants, & Other –
 - a. Deed of Easement – Randolph Park – The Board approved a deed of easement with Verizon Virginia, Inc. for the Randolph Park property. A copy of the completed deed of easement is filed with the records of this meeting.
 - b. Valley Propane Underground Tank Service Agreement with Contract Addendum, Memorandum of Lease and Pricing and Fee Schedule- The Board approved a contract for the above referenced items, complete copies of which are filed with the records of this meeting.
 - c. Contractor – Robinson, Farmer, Cox Associates – Implementation of GASB34 – The Board approved an agreement engaging Robinson, Farmer, Cox to assist in Pulaski County's implementation of GASB 34.

e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Assistant County Administrator Nancy Burchett.

f. Courthouse Lawn Usage by Downtown Pulaski, Inc.

The Board approved use of the stone and brick courthouse lawns by Downtown Pulaski, Inc. on June 9 from 9:00 a.m. to 5:00 p.m. as well as the Stone Courthouse lawn.

g. Resolution to Establish a New Community Criminal Justice Board

The following resolution was adopted:

JOINT RESOLUTION PROVIDING FOR THE IMPLEMENTATION OF THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND THE PRETRIAL SERVICES ACT AND ESTABLISHMENT OF THE 27TH JUDICIAL DISTRICT COMMUNITY CRIMINAL JUSTICE BOARD, HEREAFTER REFERRED TO AS THE 27TH JDCCJB.

Whereas, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible offenders (section 53.1-180 et. Seq. of the Code of Virginia) and the Pretrial Services Act (Section 19.2-152.2 et. Seq. of the Code of Virginia), both of which are effective July 1, 1995; and

Whereas, Sections 53.1-183 and 19.2-152.5 of the Code of Virginia require that each county and city participating in Community Corrections Programs and Pretrial Services Programs establish a Community Criminal Justice Board; and, in the case of multi-jurisdictional efforts, that each jurisdiction mutually agree upon the appointments to said board;

BE IT THEREFORE RESOLVED that the Pulaski County Board of Supervisors endorses the implementation of the Comprehensive Community Corrections Act for Local Responsible Offenders and/or the Pretrial Services Act.

BE IT FURTHER RESOLVED that the Pulaski County Board of Supervisors establishes the New River Valley Community Corrections CC+PT of the NRV to be composed of the following positions pursuant to Section 53.1-183 of the Code of Virginia:

1. Appointees by the Governing Bodies of Bland County, Carroll County, Floyd County, Giles County, Grayson County, Montgomery county, Pulaski County, Wythe County, Galax City and Radford City.
2. A circuit Court Judge, as agreed upon by the Circuit Judges of the 27th Judicial Court.
3. A general District Court Judge, as agreed upon by the General District Court Judges of the 27th Judicial District.
4. A juvenile and Domestic Court Judge, as agreed upon by the Juvenile and Domestic Court Judges of the 27th Judicial District.
5. The Chief Magistrate.
6. Commonwealth's Attorney(s) as defined in the 27th JDCCJB bylaws.
7. An attorney experienced in the defense of criminal matters, who is a member of the Bar of one of the participating localities.
8. A Public Defender or another attorney.
9. The Regional Jail Administrator.
10. The Sheriff of the Montgomery County Jail.
11. Chief(s) of Police or Sheriff(s) in a jurisdiction not served by a police department of one of the participating localities, as defined in the 27th JDCCJB bylaws.
12. A Community Services Board Administrator.
13. Representative(s) of local education as defined in the 27th JDCCBJ bylaws.

h. Randolph Park Pool Regulations, Hours of Operation and Fees

The Board pool regulations, hours of operation and fees, a copy of which is filed with the records of this meeting.

i. Scheduling of Public Hearing for the Purpose of Amending the Zoning Ordinance Allowing Retreat Centers in Conservation Districts and Defining Retreat Centers

The Board approved scheduling a public hearing to be held at its June 25, 2001 meeting for the purpose of amending the Zoning Ordinance to allow retreat centers in Conservation District and defining retreat centers.

j. Library Staff Adjustments

No action was taken on this request.

k. 2001 Claytor Lake Festival Fireworks Permit

The Board approved issuance of a fireworks permit to the Claytor Lake Festival for which said fireworks will be held on Friday, June 1, 2001 at Claytor Lake, subject to the county being not being held responsible for any accidents or injury resulting from the fireworks display.

l. Randolph & DeHaven Parks Concessions & Aquatic Agreements

The Board approved the Randolph and DeHaven Parks concessions and aquatic agreements, copies of which are filed with the records of this meeting.

9. Citizen Comments

Mr. E. W. Harless encouraged the Board of Supervisors to pursue, along with the Town of Dublin, having a rail container loader facility operation in Pulaski County.

10. Other Matters from Supervisors

Supervisor Sheffey reported on the recent Dominion Energy Gas Pipeline information meeting.

Staff was requested to provide the Board with a detailed breakdown of the proposed school funding for next year to include school buses and capital debt.

11. Closed Meeting – 2.1-344.A.1.3.5.7

It was moved by Mr. Hale, seconded by Mr. Cook and carried, that the Board enter the Closed Meeting session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.1-344(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- a. Report of Site Study on Replacement of Claremont School
- b. Commerce Park Property Acquisition

Personnel – Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- a. Appointments
- b. Amendment to Sick Leave Bank Policy
- c. Library Pay Adjustments

Prospective Industry – Pursuant to Virginia Code Section 2.1-344(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- ◆ Existing Industry Diversification

Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- ◆ None

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. Hale, 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 a closed 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 closed 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 closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

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

*Personnel:

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

1. PEP Committees - Ron Chaffin – Steering & Existing Business; Richard Guthrie – Steering & Community Information; Tom McCarthy – Steering & Financing; Hi Nicely – Steering & Existing Business; and Mason Vaughan – Steering & Existing Business for terms ending June 30, 2004
2. Workforce Investment Board – The Board requested staff to invite Ethan Allen to nominate an individual from the Ethan Allen plant.
3. Visitor's Center Committee – The Board appointed Mr. Eddie Crews to serve on the committee.

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

Voting no: none.

12. Adjournment

It was moved by Mr. Conner, seconded by Mr. Cook and carried, that the Board of Supervisors adjourn to reconvene on Monday, June 4, 2001 at New River Community College, Rooker Hall, in Dublin, Virginia. The next regular meeting is set for Monday, June 25 the County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator

