

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 25, 2004

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, October 25, 2004 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; Frank R. Conner, Vice Chairman; Ranny L. Akers; William E. "Eddie" Hale; and Dean K. Pratt. Staff members present included: Thomas J. McCarthy, Jr., County Attorney; Peter M. Huber, County Administrator; Nancy M. Burchett Assistant County Administrator; David Tickner, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

The invocation was delivered by Dr. Carolyn Hill.

2. Employee Recognitions

Mr. Sheffey recognized Chris Akers of the Information Technology department and Wanda Saunders of the Pulaski County Library as the "Featured Employees" for the month of November. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee. A gift certificate was presented to Mr. Akers and Ms. Saunders as a token of the Board's appreciation.

3. Additions to Agenda

Mr. Sheffey presented to county staff the deed for the current Animal Shelter lot, which had been presented by the Dublin Town Council to Mr. Sheffey at a recent Dublin Town Council meeting.

Mr. Huber advised there were no agenda items to be added at this time.

4. Public Hearings:

- a. A request by **Robert W. and Apolonia J. Harman** for a Special Use Permit (SUP) to allow custom manufacturing on property identified as tax map no. 108-001-0000-0110, zoned Agricultural (A1), (0.6464 acres), and located at 2256 Julia Simpkins Rd., Ingles District.

Mr. Tickner described the request and advised the Planning Commission recommended approval. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the special use permit request, as recommended by the Planning Commission.

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Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

- b. A request by the **County of Pulaski** to amend Article 16 of the Pulaski County Zoning Ordinance, Nonconforming uses.

Mr. Tickner described the request and advised the Planning Commission recommended approval. Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved the zoning amendment, as recommended by the Planning Commission.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

- c. A request by the **County of Pulaski** to amend Article 1 of the Pulaski County Zoning Ordinance, Definitions; specifically **Camping - Individual Tent or Camper**

Mr. Sheffey advised the Planning Commission had tabled action on this matter to its November Board meeting; however, comments would be taken from the citizens. There were no citizen comments.

- d. Adoption of a Recordation Tax Ordinance setting local fees at one-third of the state tax

Mr. Huber explained the state had increased the recording fee and state legislation allows the locality to charge one-third of the state fee. Mr. Huber further explained a public hearing had been scheduled to consider adoption of a Recordation Tax Ordinance. Mr. Gill clarified the specific amount of the tax.

Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

It was moved by Mr. Conner, seconded by Mr. Akers and carried, that the Board adopt the following Recordation Tax Ordinance:

RECORDATION TAX ORDINANCE

BE IT ORDAINED, that pursuant to Section 58.1-814 and Section 58.1-3800 of the *Code of Virginia, 1950, as amended*, there is levied on every Deed admitted to record in Pulaski County, Virginia, a County Recordation Tax in an amount equal to one-third (1/3) of the amount of the State Recordation Tax for such deed recordation.

Adopted: October 25, 2004 by the Pulaski County Board of Supervisors

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

e. Six Year Secondary Road Hearing

Mr. Sheffey introduced VDOT Resident Engineer David Clarke and requested Mr. Clarke provide an explanation regarding the Six Year Secondary Road Plan.

Mr. Clarke explained all road funding is taken from funds collected through the state gasoline tax, state titling tax and one half of the state sales tax. He confirmed that no local funds are used to fund road improvements and that Virginia has one of the lowest gas taxes in the United States. He further stated the funds for road improvements are allocated under a formula set by state law.

The Board reviewed the spreadsheet prepared by county staff detailing the current six year plan. Staff was requested to add columns to the spreadsheet which show what has been funded for each road.

Mr. Sheffey opened the public hearing to receive comments on the proposed six year secondary road plan. The following citizens spoke: Claude Newman requesting paving of Case Knife Road, as well as submitting a petition from residents; Dr. Carolyn Hill, Teresa Underwood, and Ethel Turner requesting clarification on improvements to Mines Road; and Lisa Ervin, Russell Quesenberry & Jeffrey Warf requesting improvements to Booker Branch Road. There being no further comments, the public hearing was closed.

The Board requested Mr. Clarke and Mr. Huber meet to discuss specifics of the six year plan funding and provide an update via the weekly update or at the November Board meeting.

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5. Highway Matters:

a. Follow-up from Previous Board Meeting:

Supervisor Conner requested follow-up matters related to previously discussed highway matters be moved back to the "Highway Matters" portion of agenda, as well as continue to be updated and remain on the Key Activity Timetable "KAT". The following highway matters were reviewed:

TARGET DATE	B. Follow-up from Previous Board Meetings:
Winter 05	1. Rt. 100 Deceleration lane into New Dublin Presbyterian Church
Mar. 05	2. Memorial Bridge Update & Rt. 11 Entrance Sign
Winter 05	3. Hatcher Road Improvements
Nov. 04	4. Kent Farm Road - Rural Rustic Road Eligibility determination
6/05	5. Allisonia Bridge Repairs/Replacement
Nov. 04	6. Low Water Bridge at Little Creek
Nov. 04	7. PCHS Turn Lane cost estimate for rural addition funding
Jan. 05	8. Rt. 100 Turn Lane: <ul style="list-style-type: none"> a. McDonalds b. Southbound onto South I-81 ramp
12/04	9. Delton Road Culvert Status
11/05	10. Mines Road Advertisement
7/05 start	11. Dunkard's Bottom Drainage
Under Review	12. Dunkard's Bottom School Bug Stop Signage
Jan. 05	13. Robinson Tract Road at Bridge
Winter 04	14. Manns Drive Brush Cutting
Nov. 04	15. Hazelwood Drive Paving Requirements
Nov. 04	16. Locust Drive - Request for Signage, Etc.
Ongoing	17. Guardrail Listing - Add Road Names and District
12/04	18. Horseshoe Loop & Black Hollow Lane Speed Limit Signage
School Bd. Review	19. School Flashing Signs
12/04	20. Brush Cutting - Fariss Mines Road from Boones Furnace Rd.
11/04	21. New River Post Office Sinkhole
	C. COMPLETED ITEMS
COMPLETED	1. Riverbluff Subdivision Improvements
COMPLETED	2. Wilderness Road Shoulder Repairs
COMPLETED	3. State Park Road Repairs
COMPLETED	4. Rt. 634 Scraping Update

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| COMPLETED | 5. Rt. 114 Bridge Markers Removal |
| COMPLETED | 6. Riverhills Townhomes Road Issues |
| COMPLETED | 7. Rt. 672, Lowman's Ferry Road, Drop Off from Pavement |
| COMPLETED | 8. Request to Cut Brush Back on Old. Rt. 11 at the Bagging Plant Intersection |

b. Rt. 758, Case Knife Road, Request for Paving

This matter was previously presented during the six year secondary road plan hearing. Supervisor Hale requested an estimate for improvements to Route 758. Mr. Clarke agreed to provide an estimate at the November Board meeting.

c. Rural Addition Status Report

The Board reviewed an update to the rural addition report.

d. Citizen Concerns

Mr. Ed Hoggatt expressed concern over removal of passing zones on Belspring Road. Mr. Clarke advised he would have VDOT check the status of this matter and provide update at the November Board meeting.

Mr. Troy Settle expressed concern regarding the passing zone on Rt. 11, Lee Highway, due to development of the Stone Ridge Subdivision off Rt. 11, specifically requesting a change to the passing zone on Rt. 11.

e. Board of Supervisors Concerns

Supervisor Akers requested brush removal and striping of Rt. 693, Farris Mines Road.

Supervisor Akers requested spot widening on Rt. 778, Dallas Freeman Road.

Supervisor Akers also expressed his concern regarding the passing zone on Rt. 11 at Stone Ridge Subdivision. Mr. Clarke agreed to review this matter and provide and update at the November Board meeting.

Supervisor Conner requested VDOT monitor the Rt. 634 Little Creek low water bridge.

Supervisor Conner expressed appreciation to VDOT for the improvements to Rt. 807, Hatcher Road.

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6. Treasurer's Report

Treasurer Rose Marie Tickle provided the Board with a copy of the Treasurer's monthly report.

7. Citizens' Comments

There were no citizen comments at this time.

8. Presentations

a. New River Valley Economic Development Alliance

Mr. Aric Bopp, Interim Director for the Alliance, thanked the Board of Supervisors for support provided in its efforts to market the New River Valley, including Pulaski County. Mr. Bopp provided details regarding the Alliance's economic development efforts, including working with existing industry and recruitment of new industry.

b. Telecommunications Committee Presentation

Mr. Carl Epley, Chairman of the Pulaski County Telecommunications Committee, provided a detailed report on the need for broadband service, as well as Board consideration of the estimated \$10.5 million in regional needs.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed in detailed the Key Activity Timetable.

Supervisor Sheffey requested an update on the Building Reuse Committee activities. Mr. Huber advised the committee had meet three times, was meeting every other week on Tuesdays and was beginning to consider options.

d. Appointments

The Board delayed action on appointments until the "Closed Meeting" session of the Board meeting.

c. Real Estate Tax Relief - Maximum Property Ownership Criteria

Staff provided an update regarding changes to the State Code as it relates to the tax relief program for the elderly and disabled, specifically

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where jurisdictions may exclude up to ten acres of land when considering the taxpayer's net worth. The Board directed county staff to request the Institute of Government poll other localities and provide an update to the Board once received.

10. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved items of consent as follows:

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

a. Approval of Minutes of September 27, 2004

The Board approved the minutes of the Board of Supervisors meetings of September 27, 2004.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 12635 through 13037, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #4 totaling \$44,448.91 and Appropriations as follows:

GENERAL FUND #6

REVENUES:

16150-0500	Donations (Friends of the Library)	204.00
24040-0910	Growing with Mother Goose Grant (State Library Grant)	1,000.00
	TOTAL	\$ 1,204.00

EXPENDITURES:

6012-100	Growing with Mother Goose	1,204.00
	TOTAL	\$1,204.00

GENERAL FUND #7

REVENUES

01603-1000	Seized Assets Proceeds Comm. Attorney	1,712.00
01613-0400	Office on Youth Charges Fees/Donations	715.00
01613-0500	Recreation Fees	800.00
	TOTAL	\$3,227.00

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EXPENDITURES:

022100-6017 Comm. Attorney Seized Assets Equipment	1,712.00
Equipment	
053500-6013 Office on Youth Recreational Supplies	715.00
071110-6013 Recreation Recreational Supplies	800.00
TOTAL	\$3,227.00

SCHOOLS #5

3-205-18030-0300 Refund/Overpayment	-1,226.36
3-205-18030-0320 School Nurse Services	671.44
3-205-18990-0200 Misc. School Revenues	-78.00
TOTAL	\$1,975.80

4-205-062140-3141-900 Other Professional Services	40.00
4-205-062140-6001-900 Office Supplies	38.00
4-205-062190-3310-950-100 Repair and Maintenance	384.73
4-205-061100-3160-200-200-979 In - Services	841.63
4-205-062120-5800-900 Office of Superintendent – Misc.	671.44
TOTAL	\$1,975.80

SCHOOL TRANSFER #1

EXPENDITURES:

4-205-64200-5230-900 Telephone	24,145.00-
4-205-63200-3110-900 Med-Dental & Hospital Ser.	2,000.00
4-205-64300-6007-900 Repair & Maint. Supplies	22,145.00
TOTAL	-0-

SCHOOLS #6

REVENUES:

3-205-033020-4100 Title V 02-03	-2,409.80
TOTAL	-2,409.80

EXPENDITURES:

205-061100-8101-200-100-951 Capital	2,409.80
TOTAL	\$2,409.80

SCHOOLS #7

REVENUES:

3-205-033020-4600 Blue Ridge West	-1,500.00
TOTAL	\$-1,500.00

EXPENDITURES:

4-205-061100-1621-200-100-956 SUPPLEMENTS	1,385.00
4-205-061100-2100-200-100-956 FICA	115.00
TOTAL	\$1,500.00

SCHOOLS #8

REVENUES:

3-205-033010-1200 Title VI 02-03	-5,413.30
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EXPENDITURES:

4-205-061100-8101-200-100-909	Capital	5,413.30
TITLE VI 02-03		
		TOTAL\$5,413.30

SCHOOL # 9

REVENUES:

3-205-024020-6600	Jail Budget Grant	-2,825.00
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EXPENDITURES:

4-205-062130-1121-900-200-326	Salaries Teachers	2,608.89
4-205-062130-2100-900-200-326	FICA	<u>216.11</u>
		TOTAL\$ 2,825.00

SOCIAL SERVICES #1

REVENUES:

3201-24010-1300	Special Needs Adoption	+ 35,000.00
3201-33050-0002100	Foster Care	+ 350,000.00

EXPENDITURES:

42010532105706	AFDC Foster Care	+ 350,000.00
42010532105729	Special Needs Adoption	<u>+ 35,000.00</u>
	TOTAL	\$420,000.00

SOCIAL SERVICES #2

REVENUES:

3-201-033050-3500	Head Start Day Care	2,000.00
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EXPENDITURES:

4-201-532225-5755	Head Start Day Care	<u>2,000.00</u>
	TOTAL	\$ 4,000.00

d. Ratification

There were no items submitted for ratification at this time.

e. Contracts, Change Orders & Agreements

There were no items submitted at this time.

f. Personnel Changes

The Board reviewed recent personnel changes as provided by Ms. Burchett.

g. Resolution in Support of State Parks

The Board adopted the following resolution in support of budget amendments addressing the need for funding for additional operation and maintenance of state parks. Further the Board directed staff to send the following resolution to the Governor and members of the Virginia General Assembly:

RESOLUTION ON REBENCHMARKING THE STAFFING
AND OPERATIONAL AND MAINTENANCE FUNDING AND
VIRGINIA STATE PARKS

WHEREAS, the Pulaski County Board of Supervisors commends Governor Warner and the Senate of Virginia and House of Delegates for working cooperatively with the Department of Conservation and Recreation in their support of Virginia's state park system; and

WHEREAS, Virginia's state parks were voted "America's best managed" in 2001 and became recipients of the National Gold Medal Award; and

WHEREAS, Virginia's state parks rank fiftieth in state funding among the fifty states in both per capita and proportion of the state budget dedicated to state parks; and

WHEREAS, our state park system is a major component of Virginia's outdoor recreation and tourism offerings and contributes more than one hundred fifty million dollars annually to the state and local economies; and

WHEREAS, Virginia voters demonstrated both in 1992 and 2002 support for improving and expanding state parks with nearly seventy per cent support for general obligation bond referendums in state-wide elections; and

WHEREAS, the need for a major rebenchmarking of funding and staffing for state parks has been identified and supporting by the former Commission on the Future of Virginia's Environment (2002 Senate Document 4); and

WHEREAS, preventive, cyclical and maintenance reserve projects have been deferred for many years as those funds have been by necessity redirected to operations resulting in hundreds of millions of dollars in deferred maintenance; and

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WHEREAS, the expansion in facilities and responsibilities made possible by the 1992 and 2002 general obligation bond projects has placed unreasonable and extraordinary stress on our state park system and its staff; and

WHEREAS, the new facilities under construction and to be built by proceeds from the 2002 GOB will greatly exacerbate the current park staffing and operational unmet needs and may lead to delayed openings and indefinite land banking of new park land acquisitions; and

THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors urges Governor Warner and the members of the Virginia Senate and House of Delegates to support budget amendments that address this critical need in the 2005 legislative session.

h. Application for Release of New River Sewer System

Staff explained that, as part of the recent refinancing of county debt for utility services, the New River community required approval from Rural Development prior to implementation of the transfer. Implementation of this transfer requires that the Board of Supervisors and PSA accept Rural Development financing terms.

The Board approved jointly applying for transfer of ownership from the Board of Supervisors to the Public Service Authority.

i. Memorandum of Understanding Between Virginia Department of Conservation and Recreation, VDOT & Pulaski County

The Board approved the Memorandum of Understanding between the Virginia Department of Conservation and Recreation, the Virginia Department of Transportation and Pulaski County, a copy of which is filed with the records of this meeting.

j. PEP Draft Economic Strategic Plan

The Board endorsed the Pulaski Encouraging Progress (PEP) draft Economic Strategic Plan.

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k. Wireless Internet Partnership

Staff provided the scope of services being solicited in partnering with a private sector internet service provider to provide wireless internet access using ARC funding and county access to towers and water tanks.

The Board authorized county staff to appoint a committee (including Supervisor Akers) to negotiate and enter into an agreement with the most responsive proposer.

l. Scheduling of Public Hearing on Banks Street Boundary Adjustment

The Board authorized county staff to advertise for a public hearing to be held at the Board's November 22 meeting. Further, the Board requested details regarding this matter be provided by the County Attorney to the Board prior to its November meeting.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

11. Citizen Comments

There were no citizen comments at this time.

12. Other Matters from Supervisors

Supervisor Conner requested staff discuss with the School Board the sharing of the costs associated with a turning lane at Pulaski County High School, possibly through revenue sharing funds.

The Board directed staff to request the Institute of Government poll other localities to determine which localities use revenue sharing funds and what funds are used for and provide update at the November Board meeting.

The Board agreed to staff arranging for a Board photo at the November Board meeting.

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13. Closed Meeting –2.2-3711.A.1.3.5.7

It was moved by Mr. Conner, seconded by Mr. Akers and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

A closed meeting is requested pursuant to Section 2.2-3711.A.1.3.5.7 of the 1950 Code of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition, and prospective industry matters:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- ◆ Heron's Landing Development
- ◆ Newbern Museum

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- ◆ Appointments

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(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.

- ◆ Shell Building Lease
- ◆ Bob White Building Lease
- ◆ Fairlawn Development

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- ◆ Special Election
- ◆ Insurance Claim

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

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Return to Regular Session

It was moved by Mr. Pratt, seconded by Mr. Hale and carried, that the Board return to regular session.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Hale, seconded by Mr. Akers 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 2.2-3712(D) 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: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Personnel Matters:

Appointments

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the following appointments be approved:

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1. New River Valley Airport Commission Alternate

The Board appointed Hollis Lloyd as an alternate on the New River Valley Airport Commission.

2. New River Community College

The Board directed staff to contact Hugh Huff and request he consider serving on the New River Community College Board, with action on this matter to be taken at the Board's November 22 meeting.

3. Skyline Soil & Water Conservation District At-Large Director

The Board endorsed the nomination of Edward B. Hale to the At-Large Directors on the Skyline Soil and Water Conservation District Board.

4. Western Emergency Medical Services (EMS) Board

The Board nominated Joe Trigg to the Western Virginia EMS Board as a successor to John Casey.

Legal

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the Board deny the claim submitted by Mr. James L. Barker.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

14. Adjournment

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board of Supervisors adjourn to its next regular meeting scheduled for Monday, October 25, 2004 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski, Virginia.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator