

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 28, 1992, at 7:00 p.m. at the County Administration Building, 143 Third Street, N.W., in the Town of Pulaski, the following members were present: Jerry D. White, Chairman; Joseph L. Sheffey, Vice-Chairman; Bruce L. Fariss; Mason A. Vaughan, Sr.; and Ira S. "Pete" Crawford.

1. Invocation

The invocation was given by Thomas J. McCarthy, County Attorney.

2. Public Hearing

a. Subdivision Ordinance Amendments

The Chairman opened the public hearing on the subdivision ordinance amendments. No public comments were heard. The hearing was closed.

It was moved by Dr. Fariss, seconded by Mr. Crawford and carried, that the following subdivision ordinance amendments be approved by the Board of Supervisors.

Section 3.1, Standard Subdivision, to read as follows:

3.1.3 Standard Subdivision

1. Division of land into two or more lots any one of which is less than 5 acres.
 - a. Such subdivisions shall meet all the requirements outlined in this ordinance.
 - b. Such subdivisions must provide each lot access to a public street.
 - c. The depth of any lot created which is five (5) acres or less in size shall not be more than four (4) times the width of such lot at the building line.
2. Subdivisions served by a right-of-way other than a public street, may be considered under the following conditions:
 - a. The depth of any lot created which is five (5) acres or less in

- a. The lot(s) is/are no more than 500 feet from a public street.
- f. b. The lot(s) meet(s) all the requirements established for standard subdivisions.
- g. c. The access of right-of-way is no more than 500 feet from a public street long, and at least 500 feet from another entrance on the street receiving traffic from the right-of-way.
- h. d. The property owners having property adjacent and/or fronting the right-of-way form a property owners association. The association must address right-of-way maintenance and the upgrade of the right-of-way to Virginia Department of Transportation, Subdivision Street Standards. Such upgrade will occur with the subdivision of any of the adjoining or fronting properties or the proposed use of the right-of-way by more than two housing units. Provision should be made for petitioning the Virginia Department of Transportation to accept said improved street into the State Secondary Highway System when the road is upgraded.

Sections 3.1.5, Large-Lot Subdivision, and 3.1.6, Agricultural Subdivision, to read as follows:

3.1.5 Large Lot Subdivision

The division of land into two or more lots which are of 5 acres or more. Such subdivisions shall meet the requirements outlined in the ordinance with the following stipulations:

- 1. Streets constructed in large-lot subdivisions may be either public or private streets. All streets constructed in Large-Lot subdivisions shall be constructed to comply with all applicable standards as outlined in this Ordinance.
- 2. Each new lot shall have at least 200 feet of road frontage.

3.1.6 Agricultural Subdivision

Division of land into two or more parcels for the purpose of agricultural production or the sole purpose of a single family residence and agricultural production. Such subdivisions shall meet the requirements outlined in the ordinance with the following stipulations:

- 1. Parcels in such subdivisions shall not be less than twenty-five acres.
- 2. Access need not to be constructed for agricultural subdivisions, but the plat must include a fifty (50) foot wide access right-of-way, which has been surveyed by a duly certified surveyor and declared buildable by a duly certified surveyor or engineer.

Section 5 Definitions, shall have the definition of family changed to read:

Family - For the purpose of this ordinance, a member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, parent, grandparent, or grandchild of the owner.

The Title of Section 4.7.1 should be changed to read:

Conditions for Approval of the final Plat; Recording Required Within Six Months Following Approval.

Section 4.7.1, Paragraph 4

Should be changed to read:

The subdivider shall record such plat within sixty (60) days six months after the final approval; otherwise the Agent shall mark the plat "void" and return it to the subdivider.

In addition, the following is to be added as an appendix to the subdivision ordinance summarizing the definition of the various subdivision types:

Defining the Subdivision

(See Page Def-5, Subdivision, which states that any division of property into 2 or more lots is a subdivision. The Subdivision Ordinance (see 1.0, 2.1, 2.8.1, 2.8.2, and 2.8.3) applies to all subdivisions (i.e. if all new lots will be platted and approved in accordance with the Ordinance).

1. Are one or more lots being created, or are lot lines being rearranged without an increase in the number of lots?

No increase in number of lots - 2.11 lot line revision
Yes - go to Step 2.

2. Is the subdivision a Family Subdivision (i.e. for purpose of gift or sale of lots to immediate family member(s)?)

No - go to Step 3
Yes - Is a Family Subdivision - 3.1.2

3. Is the purpose of the Subdivision limited to a single family residence and agricultural production and all the lot(s) are 25 acres or greater in size?

No - go to Step 3
Yes - Is an Agricultural Subdivision - 3.1.6

4. Will the subdivision be limited to 2 parcels meeting appropriate frontage and VDOH requirements (see page 13, 3.1.1)?

No - go to Step 5
Yes - Is a Lot Subdivision - 3.1.6

5. Are all the lots to be created 5 acres or more in size?

No - go to Step 6
Yes - Is a Large Lot Subdivision - 3.1.5

6. Does the division create 2 or more lots, one or more of which is less than 5 acres?

No - Re-evaluate responses to earlier questions. If in doubt after re-evaluating - 3.1.3
Yes - Is a Standard Subdivision - 3.1.3

Also check the following for additional guidance:

- Mobile Home Park - 3.1.7
- Industrial Subdivision - 3.1.8
- Townhouses and condominiums - 3.1.4

Also, the Board of Supervisors should request the Circuit Court use a

cover form that includes a checklist for recordation steps for sale or transfer of property. This checklist could items required by the clerk, as well as questions whether:

1. The deed reflected a lot line revision;
2. There is a creation of a family subdivision;
3. It reflects the formation of one or more new lots; and
4. An approved plat is attached, the date of the approval, and/or who was the subdivision approving authority.

Based on the responses of these checklist items, the clerk would be requested to instruct would be subdividers to visit the county engineer's office, so that he may provide assistance in his capacity as subdivision agent.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

3. Recognition of Snowville Area Boy Scout Troop # 151, Scoutmaster Gene Akers

The Board of Supervisors welcomed and recognized Troop # 151 and Scout Master Gene Akers to the Board of Supervisors meeting.

a. IDA Resolution Re: Pulaski Retirement Refunding

It was moved by Mr. Sheffey, seconded by Mr. Crawford and carried, that the following resolution be adopted by the Board of Supervisors:

RESOLUTION OF BOARD OF SUPERVISORS
OF PULASKI COUNTY VIRGINIA

WHEREAS, the Industrial Development Authority of Pulaski County (the "Authority"), has considered the application of Pulaski Retirement Community, a Virginia limited partnership (the "Partnership"), for the issuance of the Authority's retirement care facility mortgage revenue refunding bonds in an amount now estimated at \$1,209,993 (the "Bonds") to refund the Authority's \$1,209,993.64 Retirement Care Facility Mortgage Revenue Bonds (Pulaski Retirement Community FHA Insured Project), Series 1982 (the "Series 1982 Bonds") which were issued on September 29, 1982 to finance the Partnership's acquisition, construction and equipping of a 27 unit retirement care facility known as Pulaski Retirement Center located at 2401 Lee Highway, Pulaski, Virginia (the "Project") and to fund a debt service reserve fund, and has held a public hearing thereon on September 28, 1992; and

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

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

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

1. The Board of Supervisors approved the issuance of the Bonds by the Authority for the benefit of the Partnership to extent required by Section 147 (f), to permit the Authority to refund the Series 1982 Bonds.
2. The approval of the issuance of the Bonds, as required by Section 147 (f), does not constitute an endorsement of the Bonds or the creditworthiness of the Partnership, and, as required by Section 15.1-1380 of the Code of Virginia of 1950, as amended, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the

interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth, the County nor the Authority shall be pledged thereto.

3. This resolution shall take effect immediately upon its adoption.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.

Voting no: none.

4. Highway Matters

Assistant Resident Engineer John Thompson met with the Board regarding:

a. Follow-up from August 24 Meeting

1. Cost Estimate for Drainage Improvement on Peppers Ferry Loop, Route 695

Mr. Thompson reported the estimated cost for drainage improvements on Peppers Ferry Loop, Route 695 to be approximately \$65,000. He further advised the Board may apply for revenue sharing funds for this project. He also reported revenue sharing funds were available which were left over from the Oxford Avenue project and could be used for the Peppers Ferry Loop drainage improvement.

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried, that the Highway Department provide more information to the Board at its next regular meeting regarding this project as to available funding and how funding it would effect current projects.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan,
Mr. Sheffey.

Voting no: none.

2. Request for Informal Speed Study on Route 787, Peak Creek Road

Mr. Thompson reported that Route 787, Peak Creek Road will not qualify for twenty-five miles per hour. He further reported that the Board could request a formal speed study. Mr. Crawford stated that he would like to talk with some of the residents before the Board requested a formal speed study on Route 787.

3. Request for Deceleration Lane off of Route 11, Lee Highway, Into Camelot Farms Subdivision

Mr. Thompson advised the biggest problem on this request was funds. He advised the Board could make a request to the Highway Department for special funds to fund the deceleration lane off of Route 11.

It was moved by Mr. Sheffey, seconded by Dr. Fariss and carried to request special funds from the Virginia Department of Highways to provide a deceleration lane off of Route 11, Lee Highway, into Camelot Farms Subdivision.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr.
Sheffey.

Voting no: none.

b. Speed Study Review, Borman Street, Route 1053, Orchard Hills Subdivision

It was moved by Dr. Fariss, seconded by Mr. Sheffey and carried that Borman

Street, Route 1053 in the Orchard Hills Subdivision, be posted for twenty-five miles per hour.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

c. Follow-up on September 15 Road Viewing

The county administrator suggested the road viewing report and estimates be available for the Board to review at the October regular meeting.

d. Abandonment to Attempt to Acquire Right-of-Way for Extension off Route 693, Julia Simpkins Road in Allisonia

Dr. Fariss requested this item be left on the list for a possible road extension.

e. Traffic Signal on Route 643, Cougar Trail Road and Route 11, Lee Highway

The Board discussed the need for a traffic signal at Route 643, Cougar Trail Road, and Route 11, Lee Highway. The Board discussed the need for a traffic signal in this area due to the large volume of traffic and numerous accidents which have occurred recently in the area.

It was moved by Mr. Vaughan, seconded by Dr. Fariss, to study this area for a possible traffic light at Route 643, Cougar Trail Road, and Route 11, Lee Highway, as well as improvements at Rt. 643, Thornsprings Road, and Rt. 11, Lee Highway, near the Cougar Express store.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

f. Request for Speed Limit Sign on Route 612, Creek Road near Parrott

The Board requested the Highway Department to review Route 612, Creek Road near Parrott for a possible speed limit posting.

g. Other Matters

Mr. Sheffey inquired as to whether or not the trees had been trimmed behind the Parrott Fire Station. Mr. Thompson advised that he had passed Mr. Sheffey's request on to the superintendent for the work to be completed.

Mr. Sheffey also reported that Brandon Road did not have a posted speed limit of twenty-five miles per hour. Mr. Sheffey requested that Brandon Road be posted for twenty-five miles per hour. Mr. Thompson advised he would check into this and get back with Mr. Sheffey. Mr. Sheffey further advised he had some citizen complaints on Route 114, Pepper's Ferry Boulevard, and Route 11, Lee Highway, at the stop light. It was reported that there was a dip in the road in this area and Mr. Sheffey requested the Highway Department to investigate and report back to the Board of Supervisors.

Dr. Fariss inquired as to the status of the bridges on Route 693, Fariss Mines Road, and the emergency access during the two week period that the middle bridge would be closed. Mr. Thompson advised that the county emergency services coordinator is working on this matter. Dr. Fariss requested that he be advised of whatever plan was developed during the two weeks the bridge would be closed.

5. Citizen's Comments

Mr. Steve Cox appeared before the Board and reported that the road in the Hiwassee area going to Hoover Color had a high volume of tractor and trailers on the

road and it was a hazard for the citizens traveling on this road. He also reported a number of the tractor trailer drivers were getting lost, therefore, he requested road signs be placed on the road advising of the locations.

Mr. Ron Rife advised the Board that on Route 605, Little River Dam Road, the right side of the bridge concrete or asphalt is starting to separate and deteriorate. He reported that he thought the deterioration was occurring on the Pulaski County side.

6. Treasurer's Report

The Board reviewed the Treasurer's monthly report. Dr. Fariss inquired as to why the Treasurer showed uncollected state income tax on the trial balance. Ms. Tickle advised she, as a constitutional officer, was required to collect state income tax, and therefore, the funds had to be included in trial balance report.

7. New River Health District Status Report

Dr. Margaret Robinson, New River Health District Director, appeared before the Board and presented an update on the Pulaski County Health Department's activities and services they provide to the community. These services included measles immunization for fifth graders in all six elementary schools in the county, AIDS services, school health services, WIC program, family planning, primary care, public health education, resource mothers, district mobile clinic and the PATCH project. Dr. Robinson also introduced to the Board Mr. Issac Staples, the new Health Department Administrator.

Dr. Fariss inquired as to the increase in the case of AIDS in the New River Valley. Dr. Robinson stated that there had been an increase. She stated that in the New River Valley there are twenty-four reported cases at the present time.

The Board agreed to meet on October 6 at noon to view industrial sites. The Board did not schedule a tour at the landfill but requested that this matter be added to the agenda for the October meeting.

c. Scheduling Meeting with School Population Committee

The Board tentatively scheduled this meeting for October 27 at 5:00 p.m., if agreeable with the School Board.

9. Items of Consent

It was moved by Mr. Vaughan, seconded by Dr. Fariss and carried, that the following items of consent be approved.

a. Minutes of August 24 and September 21, 1992

The minutes of August 24 were approved as presented. The minutes of September 21, 1992 were approved with one correction on item 3a to be changed to Stigger Hill rather than Springer.

b. Accounts Payable

Accounts payable were approved as presented on checks numbered 39482 through 39735.

c. Transfers and Appropriations

Transfers and appropriations as presented and filed with the records of this meeting as follows:

GENERAL FUND
Resolution #5

REVENUES

1615-07	Library - RIF Program	\$ 1,988.29
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EXPENDITURES

73015604	Library - RIF Program	\$ 1,988.29
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SCHOOL FUND
Resolution #5

REVENUES

3033010800	Mini-Grant - Pre-school	\$ 31,640.00
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TOTAL REVENUES	\$ 31,640.00
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EXPENDITURES

50114120	Instructional Aides	\$ 10,673.00
50210120	FICA	818.00
503140	Other Prof. Services (In-Service)	12,000.00
505501	Travel (Mileage)	111.00
505504	Travel (Convention)	500.00
506013	Education/Instructional Supplies	6,179.00
508201	Machinery and Equipment	1,359.00

TOTAL EXPENDITURES	\$ 31,640.00
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Resolution #6

REVENUES

3033011800 Education for Economic Security
Title II Eisenhower Grant \$ 40,000.00

TOTAL REVENUES \$ 40,000.00

EXPENDITURES

Dept. 6112 50 6013 Classroom Instruction - Governor's
School - Industrial Supplies \$ 40,000.00

TOTAL EXPENDITURES \$ 40,000.00

Hiwassee School for Use of Rescue Station - The Board appropriated the amount of \$15,000 from the capital projects reserve to renovate the former school building as a rescue station.

d. Contracts and Change Orders

The Board reviewed a plat vacation request from Mr. Jerome Taylor. A public hearing on this matter will be held at the October meeting.

j. Adelphia Cable Communications Franchise

The Board reviewed an ordinance prepared by Adelphia Cable for the franchise renewal. The current franchise with Adelphia Cable expires November 22, 1992. Dr. Fariss stated he felt the franchise should be for a five year period and not fifteen. Further he requested staff to request Adelphia Cable to provide cable service to all governmental offices, school systems and hospitals at no cost. The Board authorized advertising a public hearing on this matter for the October regular meeting.

k. Industrial Appreciation Week Proclamation October 4 - October 10

The Board authorized Chairman White to issue a proclamation for Industrial Appreciation Week October 4 - October 10.

l. Animal Control Ordinance Review

The Board authorized the county attorney to assist in drafting language that would allow enforcement of a leash law in certain areas of the county.

m. Fine Arts Center Liability Waiver for First Annual American Music Festival

The county administrator reported the Fine Arts Center for the New River Valley is planning a fund-raising event next spring at the New River Valley Fairgrounds. The event is expected to be a major tourism draw to the county as well as provide a dependable revenue for the Fine Arts Center. The Board authorized staff to extend the county's liability insurance for this event to the Fine Arts Center.

n. Completion of On-Line Deed Indexes By Circuit Court Clerk

The Board approved a transfer of funds within the Clerk's budget to achieve completion of the on-line deed indexes by the Circuit Court Clerk.

o. Circuit Court Clerk Copier

The Board authorized the purchase of a copier for the Circuit Court Clerk with the understanding that all proceeds from the copying fee of \$1 per copy be remitted back to the county.

p. Peppers Ferry Documents Revisions

The Board reviewed a memorandum from the Peppers Ferry Executive Director, Charlie Maus, outlining a number of proposed documents which requires revising. The county administrator advised that the Board will also be asked to consider an ordinance amendment regarding restrictions on industrial discharges. The Board authorized staff to prepare the amendments and schedule public hearings as appropriate for both the Public Service Authority and the Board of Supervisors.

q. Grant Agreement for Airport Fuel Farm Replacement

The Board approved the agreement for the airport fuel farm replacement, a copy of which is filed with the records of this meeting.

r. Agency on Aging Electric Service

The Board authorized Appalachian Power Company to bill the county for the new Agency on Aging offices with the Agency on Aging reimbursing the county for

return to regular session.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

RE: Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. Crawford, seconded by Mr. Vaughan and carried, that the following resolution be adopted certifying conformance with the Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

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 that, to the best of each member's 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 the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

RE: Appointments

It was moved by Mr. Vaughan, seconded by Mr. Sheffey and carried, that the following appointments be made:

1. Building Appeals Committee - Mr. Alan Audas and Ernest Draper were reappointed for a term ending October 31, 1997.
2. Office on Youth Advisory Board - Ms. Christi Sipe was reappointed for a term ending October 1, 1994.
3. Southwest Virginia's Farmers Market - Mr. Richard White was reappointed for a term ending October 1, 1995.
4. New River Valley Resource Authority - Mr. Crawford was appointed as the designated alternate for Mr. White for a term ending June 30, 1994.
5. Agency on Aging - Dr. William Dawson was appointed to the Agency on Aging for a term ending October 1, 1993.
6. At Risk Youth and Family Community Policy and Management Team - No appointments were made at this time.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

13. Adjournment

It was moved by Mr. Sheffey, seconded by Mr. Crawford and carried that the meeting be adjourned to reconvene on Thursday, October 6, 1992, 12:00 Noon at the Wade's Parking Lot in Dublin, Virginia.

Voting yes: Dr. Fariss, Mr. Crawford, Mr. White, Mr. Vaughan, Mr. Sheffey.
Voting no: none.

Jerry D. White, Chairman

ATTEST:

Joseph N. Morgan, Clerk