

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 20, 1996, 7:00 p.m., at the Pulaski County Administration Building, Board Room, 143 Third Street, N.W., in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Jerry D. White, Vice-Chairman; Dr. Bruce L. Fariss; Charles E. Cook; and Frank R. Conner. Staff members present included County Administrator, Joseph N. Morgan; Management Services Director, Nancy M. Burchett; and Fleet & Operations Director, H. Doug Mayberry.

1. Invocation:

The invocation was given by Maynard H. Sayers, Commissioner of the Revenue.

2. Additions to Agenda

Additional agenda items were noted and considered at the appropriate times on the agenda.

3. Highway Matters:

a. Follow-up from Previous Board Meetings:

1. Route 627, Highland Road, restoration of Neck Creek Bridge

Mr. David Dutton of the Virginia Department of Historic Resources appeared before the Board of Supervisors and reported on the federal guidelines regarding the Neck Creek Bridge improvements. Mr. Dutton discussed the criteria for a structure to be placed on the National Registry. Resident Highway Engineer, Dan Brugh, advised approximately \$100,000 had been spent on the bridge repairs at this time.

Supervisor White expressed concerns regarding impact on adjacent property owners and the lack of consideration being given to adjacent property owners in the realignment of property lines to allow for the repairs of the bridge.

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board of Supervisors approved holding a public hearing at the June 24, 1996 Board meeting on prohibiting through truck traffic on the following roads in the Newbern Magisterial District: Rt. 611, Wilderness Road, from the intersection of Route 662, Lyons Road, to Route F-047, Possum Hollow Road; Route 683, Charles Drive, from Route 100, Cleburne Boulevard, to Route 1021, Howery Road; and Route 1021, Howery Road, from Route 683, Charles Drive, to Route 682, Newbern Road. The pr

c. Citizens Concerns

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

d. Board of Supervisors Concerns

Supervisor Conner inquired about the status of road improvements planned for Route 100, Cleburne Boulevard, over Cloyd's Mountain. Mr. Brugh advised the project was scheduled for advertisement for construction next year.

Supervisor Conner requested VDOT perform maintenance on roads in the Mountain View Subdivision.

Supervisor Conner inquired as to how long it had been since any primary roads in the county had major improvements. Mr. Brugh reported no major improvements have been done since Route 114 was improved, approximately five years ago.

Supervisor Conner requested VDOT to view Route 686, Max Creek Road, for repairs and reported some residents had been unable to get in or out of the road due to deterioration caused by flooding.

Supervisor Fariss requested VDOT to view the intersection of Route 607, Boone Furnace Road, and Route 752, Little Reed Island Road, for possible placement of curve warning signs due to poor sight distance.

Supervisor Fariss inquired about a street name change petition for Route 619, Izaak Walton League Road. The County Administrator advised this request had been approved by the Planning Commission on May 14, 1996.

Chairman Sheffey requested VDOT to view Route 698, Barsus Road, and Route 627, Highland Road, intersection for sight distance improvements.

Chairman Sheffey presented a petition from residents near Peppers Ferry Boulevard, Route 114, requesting a road be added to the secondary system of highways as a rural addition. A report is to be provided at the June 24 Board meeting.

Chairman Sheffey requested VDOT to view Route 627, Highland Road, as it approaches the stop sign at the intersection of Route 100, Cleburne Boulevard, for possible installation of rumble strips to slow traffic.

4. Treasurer's Report

The Board of Supervisors reviewed the monthly trial balance report and certificates of deposits, as presented by the Treasurer, Rose Marie Tickle. The Board accepted the reports as presented.

5. Presentation by Virginia Association of Counties and Discussion of 1997 VACO Legislative Agenda Proposals

Mr. Larry Land, Virginia Association of Counties Director of Policy Development, appeared before the Board of Supervisors and presented a written document explaining the purpose of the Virginia Association of Counties, as well as the services provided to counties by the Virginia Association of Counties.

Chairman Sheffey advised Mr. Land the major issue for the county is unfunded state mandates at the present time.

Supervisor Conner reported a shortage of materials at the last VACO Supervisors Conference which he attended.

6. Request for Funding of Lady Cougar Girls Age Eleven & Under Basketball Team

Mr. Don Bowman appeared before the Board of Supervisors to request funding for the Lady Cougar age eleven and Under Basketball Team. Mr. Bowman advised his team had recently won the State Championship and had earned the right to represent the State of Virginia in Ogden, Utah. He advised the team had raised over \$11,000 through various means; however, a total of approximately \$24,000 was needed to send the team to Utah. He requested the Board contribute \$2,400. Mr. Bowman then introduced members of his team and also members of the Girls age twelve and under team.

Mr. Ron Burnett also appeared before the Board of Supervisors and requested a total of \$1,500 for the age twelve and Under Girls Basketball Team who planned to travel to Cincinnati, Ohio for national competition. Mr. Burnett advised the team had raised approximately \$6,000 but needed approximately \$13,000.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors approved the amount of \$2,400 for the Lady Cougar Girls age eleven and Under Basketball Team and \$1,500 for the Lady Cougar Girls age twelve and Under Basketball Team as requested.

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

Voting no: none.

7. Citizen Comments

Mr. Courtland Spotts appeared before the Board of Supervisors and expressed concerns regarding littering problems in the county. He encouraged the Board of Supervisors to continue clean-up efforts in the county and advised he supported the suggestion of drop off sites in the county for large pick-up items.

Supervisor White expressed concerns regarding the response time on large item pick-up requests. Staff was requested to confirm the response time on large item pick-up requests by the PSA staff.

8. Reports from the County Administrator & Staff:

- a. A request by Pulaski County Developers (L C) for a Conditional Use Permit to allow quarrying operations on property identified on Pulaski County tax records as parcels 057-001-0000-0002, 002B, 002D, 0003 and 001-0000-0002, zoned Agricultural (A1), located off Route 611, Wilderness Road, in the Ingles District.

County Administrator, Joseph Morgan, advised he was unaware of any new information regarding the above matter.

Supervisor Cook advised he understood the concerns expressed previously by the residents had been addressed.

Mr. Clint Treadway, a resident near the quarry, advised he had met with Mr. Hill, owner of the quarry, and Mr. Clay, attorney for the quarry. He expressed concerns regarding the location of the berms.

Dr. Fariss advised he had concerns regarding how tall the berms should be and further, he felt the agreement should be more specific on when the berms are to be built.

Maynard Sayers, also a resident in the area, appeared before the Board of Supervisors and advised he felt the agreement was not specific on requirements or conditions.

The Board of Supervisors requested the County Attorney to contact the attorney for the quarry and advise of unresolved concerns of citizens and supervisors. The Board further requested they be provided a copy of the revised written proposal prior to the next regular meeting of the Board of Supervisors.

- b. Clean-up of Lake Shore Trailer Park, Identified on Pulaski County Tax Records as Parcel 73 (1) Lot 82 Located on Route 100, Possum Hollow Road, in the Draper District.

The County Administrator reported some action had been taken by owners to clean up the property. He advised the estimated cost to clean-up the above property to be \$500.00.

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors authorized staff to proceed with the above listed property clean-up at the owners expense.

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

Voting no: none.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors directed the County Attorney to review Part II of the Uniform Statewide Building Code for possible amendment to the Zoning Ordinance to regulate industrialized buildings.

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

Voting no: none.

- c. County Entrance Signs Status

The Board of Supervisors reviewed two examples of possible county entrance signs. The Board requested staff to provide a map indicating possible sites for entrance signs, confirm with VDOT their policy on placement of signs on state right of way and on the interstate, provide a revised drawing of entrance sign without the county seal with placement of the courthouse level with the top of the entrance sign, determine the dimensions of the seal on the proposed sign, and provide a more definite cost of the entrance signs.

- d. Report from the PSA re: Litter Concerns

Staff reported the PSA Board of Directors had been very receptive to suggestions made by the Supervisors regarding litter concerns. Further, the PSA had recently approved staff selecting several large item pick-up sites within the county and had approved the employment of three additional part-time employees to assist in the refuse department.

Supervisor Cook requested staff to provide an estimate on the costs for a more intense effort to pick up large volume items and clean up of dump sites within the county.

- e. Claim for Construction Damages During Airport Sewer line Extension

The County Attorney advised the insurance company for the contractor had refused to provide a copy of the tape. Further, the insurance company

had requested Mr. Lawrence provide a listing of damaged items and Mr. Lawrence had never submitted such a listing.

Mr. John T. Lawrence appeared before the Board of Supervisors and advised he did not want to submit a listing of items to the insurance company which may be erroneous. He requested the County Attorney act on his behalf and place a lien against the insurance carrier of the contractor.

The Board advised Mr. Lawrence the County Attorney could not assist him with his claim for damages, and further advised Mr. Lawrence to file a claim against the insurance company and seek an attorney for legal advice.

f. Report on Animal Welfare Ordinance Preparation

The Board reviewed the proposed kennel regulations as prepared by staff. Supervisor Fariss expressed concerns regarding several sections of the proposed regulations. The Board requested the County Attorney to prepare a new draft of the regulations, incorporating Dr. Fariss' concerns, for the Board to review at the regular supervisors meeting in June with a public hearing to be scheduled for the regular supervisors meeting in July, 1996.

g. Appointments

Action on appointments was deferred until executive session.

9. Items of Consent:

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

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

a. Minutes of March 25 and April 1, 15, 11, 1996

The Board of Supervisors approved the minutes of March 25 and April 1, 15, 11, 1996.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 10070 through 10372.

c. Transfers and Appropriations:

1. General Fund Transfers

The Board approved interoffice transfers as presented and filed with the records of the Director of Management Services.

2. General Fund Appropriations:

The Board approved the following general fund appropriations:

General Fund #17

Revenues:

2404-30	Victims Assistance Program Grant	\$ 9,242.00
2404-38	VA Juvenile Comm. Crime Control Act	17,508.00
1615-07	Library - RIF Donations	75.00

Total \$26,825.00

Expenditures:

1204-3002	County Attorney - Prof. Services	\$ 2,000.00
2101-1007	Circuit Court - Juror Compensation	5,000.00
2107-5411	Law Library - Books & Subscriptions	5,525.00
3230-1001	REMSI - Salaries	13,991.00
3230-2001	REMSI - FICA	1,071.00
3230-2002	REMSI - VRS	1,434.00
3230-2006	REMSI - Group Life	53.00
3230-3006	REMSI - Printing & Binding	876.00
3230-3009	REMSI - Purchase of Govt. Services	25.00
3230-5201	REMSI - Postage	790.00
5338-5606	Victims Assistance Program	9,242.00
5362-3009	VA Juv Crime - Purchase of Govt. Serv.	8,500.00
5362-5401	VA Juv Crime - Office Supplies	4,504.00
5362-5501	VA Juv Crime - Mileage	4,504.00
7208-5804	Co. History Publication - Sales Tax	7.00
7301-5604	Library - RIF Program	75.00
8105-3002	Economic Development - Prof. Services	1,980.00
8105-3007	Economic Development - Advertising	2,166.00
8110-3037	Industrial Park - Mowing	1,490.00
9104-5804	Erroneous Assessments - Refunds	1,702.00
9310-5824	Revenue Refunds - County Decals	70.00
9310-5835	Revenue Refunds - Zoning Fees, Etc.	25.00

Total \$65,030.00

3. School Fund Appropriations:

School Fund #15

Revenues:

3301-30	Automotive Serv. Excellence Grant	\$ 1,400.00
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Total \$ 1,400.00

Expenditures:

6965-3140	Automotive Serv. - Prof Services	\$ 700.00
6965-5504	Automotive Serv. - Travel	300.00
6965-6013	Automotive Serv. - Instructional Materials	400.00

Total \$ 1,400.00

School Fund #16

Revenues:

1901-05	Property Damages Recovery	\$ 5,000.00
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Total \$ 5,000.00

Expenditures:

6601-3320	Capital Improvements - Maint. Contracts	\$ 5,000.00
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Total \$ 5,000.00

d. Ratification:

1. AEP Right-of-Way Easement

The Board of Supervisors approved ratification of an easement with American Electric Power to install a power pole and new service to the New River Valley Fairgrounds as requested by the New River Valley Recreation, Inc.

The Board of Supervisors also authorized the Chairman or the County Administrator to execute future utility easements across property for which the title is held by the Board of Supervisors, following notice to all Board members and ratification of such easements by the Board of Supervisors at its next regular meeting.

2. FY 97 Emergency Home Repair Program Contract

The Board of Supervisors approved ratification of the Letter of Intent to contract with the Department of Housing and Community Development for the administration of the Emergency Home Repair Program for FY 97.

e. Contracts:

1. Agreement for PSA to Operate Recent Utility Extension

The Board of Supervisors approved an agreement with the Public Service Authority to operate recent utility extensions within Pulaski County. A copy of said agreement shall be filed with the Office of the County Administrator.

2. Running of Hunting Dogs at Corporate Center

The Board of Supervisors approved awarding the contract to Mr. Robert Goad for the running of hunting dogs at the Corporate Center for a five year period for the amount of \$70.00 per year.

3. Radio Maintenance

The Board of Supervisors approved awarding the radio maintenance contract to Two-Way Radio, Inc. of Wytheville for a two year period at an annual cost of \$5,352.00. Said contract would cover only major radio equipment.

f. Change Orders

No change orders were presented.

g. Personnel Changes

The Board reviewed recent personnel changes as prepared by the Management Services Director, Nancy M. Burchett.

h. Fireworks Permit - WPSK at Fairgrounds

The Board of Supervisors approved a fireworks permit for WPSK for the July 4th planned fireworks display at the Fairgrounds, subject to the usual indemnification of the county.

i. Designation of October 5 as Courthouse Centennial

The Board of Supervisors requested staff plan the Courthouse Centennial event either for July 4th or Labor Day Weekend and not on October 5.

j. Purchase of Military and/or Out of State Service

The Board of Supervisors approved in accordance with recent House Bill 901, allowing employees under the Virginia Retirement System with at least 25 years of service to purchase up to 36 months of credit for active military service or service rendered in the retirement plan of another

state at 5% of salary at the time of purchase.

k. Funding of Additional Retirement Benefit

The Board of Supervisors approved the following resolution regarding funding of the 3% cost of living increase granted retirees:

WHEREAS, the Virginia General Assembly, the Governor, the Board of Trustees of the Virginia Retirement System recognize the growing liability of all employers participating in the Virginia Retirement System as a result of the current practice of funding annual cost of living increases to a pay-as-you-go basis; and

WHEREAS, the Virginia General Assembly and the Governor have provided, in the budget for the 1996-98 biennium, funds to reach a level that would fully fund the cost of living increases over a five year period beginning in fiscal year 1998 for state employees and public school teachers; and

WHEREAS, pursuant to their authority as set for in Section 51.1-145 of the Code of Virginia, the Board of Trustees of the Virginia Retirement System has agreed to allow political subdivisions the option of making contributions beginning in fiscal year 1998 that would either (1) begin to fully fund the cost of living increases for their employees immediately, or (2) to reach a level to fully fund the cost of living increases over a five year period.

NOW, THEREFORE, BE IT RESOLVED by the Pulaski County Board of Supervisors of Pulaski County, Virginia:

That it hereby elects to begin to fully fund the cost of living increases for retirees immediately beginning on July 1, 1997.

l. Renfro Expansion Moral Obligation Agreement

The Board of Supervisors approved the Renfro Expansion Moral Obligation Agreement as security for the financing of the Renfro expansion project, a copy of which is filed with the records of this meeting. The Chairman is hereby authorized to execute and deliver the agreement substantially in a form submitted to the Board at this meeting.

m. Approval of Appeal Against State Compensation Board by Sheriff

The Board of Supervisors authorized the County Attorney to file an appropriate appeal on behalf of the Sheriff against the State Compensation Board regarding funding for FY 97.

n. Board Compensation Adjustment

The Board of Supervisors approved staff scheduling a public hearing for the June 24, 1996 meeting of the Board for the adoption of an ordinance to adjust Board of Supervisors compensation. Proposed compensation to be advertised at \$600.00 per month per Board Member and \$725.00 per month for the Chairman.

o. Volvo Use of Fire and Rescue Radio

The Board of Supervisors approved, per the request of Volvo, installation of a two way radio system which would access and allow two way communication on the county emergency frequency of 45.32 MHz, contingent upon the Fire Protection Committee and REMSI establishing the appropriate standards with said standards to be submitted to the Board of Supervisors

for approval. Costs associated with above are to be borne by Volvo.

- p. Status of Litter and Property Maintenance on Property of T. H. Farmer, Identified on Pulaski County Tax Records as Parcel 82 (1) Sec 40 Lot. 54, located on Route 735, Frog Level Court, off of Route 99, Count Pulaski Boulevard, in the Draper District

Staff advised all items of concern pertaining to the property had been removed, with the exception of a junk car which would be addressed by the new zoning administrator.

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

Voting no: none.

10. Citizen Comments

No citizen comments were heard.

11. Other Matters from Supervisors

On the motion made by Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors requested staff to provide the Board of Supervisors with an evaluation of costs for the county/PSA to supply sewer (sanitary storm), water, and street lights from Newbern along Route 100 to the Community College, where development is planned or may occur in the future.

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

Voting no: none.

12. Executive Session - 2.1-344(A)

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors entered executive session in accordance with Section 2.1-344 (A) of the 1950 Code of Virginia, as amended to discuss personnel, legal, land acquisition/disposition, and prospective industry.

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

Voting no: none.

Return to Regular Session

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

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. White, seconded by Mr. Conner, and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act:

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened an executive meeting 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 requirement 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 session were heard, discussed or considered by the Board of Supervisors.

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

Voting no: none.

*Appointments

It was moved by Dr. Farris, seconded by Mr. White and carried, that the following appointments are made by the Board of Supervisors:

1. Office on Youth Advisory Board

The Board appointed Janet Nelson to the Office on Youth Advisory Board for a term ending June 30, 1999.

2. New River Community Services Board

The Board appointed Mr. Harold Chrisley for a term ending June 30, 1999 to the New River Community Services Board.

3. Clean Community Council

The Board appointed Mr. Brad Harvey for an indefinite term to the Clean Community Council.

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

Voting no: none.

*Personnel

RE: Caretaker for Southside Claytor Lake Access

The Board authorized the County Administrator to engage an caretaker for the Southside Claytor Lake access property.

RE: County Administrator's Evaluation

The Board agreed to conduct the County Administrator's employment evaluation on July 11, 1996 at 5:00 p.m. at the County Attorney's residence.

RE: County Attorney Compensation Increase

The Board approved an increase in the County Attorney's fee of \$15.00 more per hour and agreed to review said fee again in May, 1997.

*Legal

RE: Old Harry's Point Property - Southside Claytor Lake Access

The Board of Supervisors approved prohibiting unauthorized commercial use of the Former Harry's Point area.

The Board of Supervisors requested staff to develop regulations

for the Southside Claytor Lake access public use with Supervisors Fariss and Cook to approve said regulations.

RE: NRRA Participation

The Board of Supervisors requested staff to review options regarding the Town of Dublin participating in the New River Resource Authority.

13. Adjournment

It was moved by Mr. White, seconded by Mr. Conner and carried, to adjourn to reconvene on Monday, June 3, 1996 at 7:00 p.m. in the Board of Supervisors Meeting Room, County Administration Building, 143 Third Street, NW, in the Town of Pulaski, Virginia.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Joseph N. Morgan, Clerk