

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 24, 1997 at 7:00 p.m. at the 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; Thomas J. McCarthy, Jr., County Attorney; Assistant County Administrator, Peter M. Huber; Management Services Director, Nancy M. Burchett; and Executive Secretary, Gena T. Hanks.

1. Invocation

Prior to the invocation, a moment of silence was held in memory of Henry Farris, who recently passed away. The invocation was then given by Reverend John Collins of the Newbern Church of the Brethren.

2. Public Hearings:

- a. Permanent adoption of an ordinance on the Belspring Polling Place relocation to Belspring United Methodist Church

County Administrator, Joseph Morgan, advised a public hearing was required in order to change the Belspring Polling Place to the Belspring United Methodist Church.

Chairman Sheffey opened the public hearing on this matter for public comments.

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

It was moved by Mr. Conner, seconded by Mr. White and carried, to adopt the following ordinance approving the Belspring Polling Place relocation to the Belspring United Methodist Church:

ORDINANCE

Whereas, due to the current Belspring Polling Place at the Belspring Baptist Church no longer being available; and

WHEREAS, the Pulaski County Board of Supervisors finds that it is not practical to establish the polling place in a public building due to the lack of suitable public buildings in the Belspring precinct; and

WHEREAS, the Board further finds that the Belspring United Methodist Church is accessible to qualified voters as required in Section C. of Section 24.2-310 of the Code of Virginia, 1950, as amended,

NOW, THEREFORE BE IT ORDAINED, that pursuant to Sections 24.2-307, 24.2-310 and 24.2-310.1 of the Code of Virginia, 1950, as amended, that the polling place for the Belspring precinct is hereby established to be in the Belspring United Methodist Church, 7639 Stillwater Drive, Belspring, Virginia, 24058, and removed from the Belspring Baptist Church, 6866 Depot Road, Belspring, Virginia, 24058; and

BE IT FURTHER ORDAINED, that Section 6 of the 1991 BOARD OF SUPERVISORS ELECTION DISTRICT REDISTRICTING ORDINANCE, which was adopted April 15, 1991, amended and is recorded in Supervisors Order Book 18, Pages 563-565, be amended to read as follows:

Section 6 PRECINCTS AND POLLING PLACES

Pursuant to the authority referenced in Section 2, hereinabove, the voting precincts and

their respective polling places for the Election District described in Section 4, hereinabove, for Pulaski County, Virginia, are hereby created and established as follows:

Cloyd Election District Precinct	Polling Place
West Cloyd	New River Valley Fairgrounds
Belspring	Belspring United Methodist Church
New River	Fairlawn Firehouse

Draper Election District Precinct	Polling Place
South Pulaski	Pulaski Firehouse
Draper	Draper Firehouse
Newbern	Newbern Community Center

Ingles Election District Precinct	Polling Place
Dublin	Dublin Firehouse
Hiwassee	Hiwassee Firehouse
Snowville	Snowville Firehouse

Massie Election District Precinct	Polling Place
Massie	Pulaski Firehouse
Walker	New River Valley Fairgrounds

Robinson Election District Precinct	Polling Place
Robinson	Pulaski Firehouse

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

- b. A rezoning request by Jack Bowling, Dublin Fairacres Limited Partnership from Commercial (CM1)/Residential (R1) to Commercial (CM1) on property identified on Pulaski County tax records as parcels 056-002-0002-0001, 7, 30, and 056-002-001A-0001, 2, 3, located west of Cleburne Blvd. (Rt. 100) and north of the Alexander Dr. (Rt. 683) intersection, in the Draper District.

County Administrator, Joseph N. Morgan, reported this rezoning request had been recommended for approval by the Planning Commission.

Chairman Sheffey opened the public hearing on this matter for public comments.

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

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors approved the above rezoning request by Jack Bowling, per the recommendation of the Planning Commission.

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

- c. Use of Community Development Block Grant Funds for Local Community Development and Housing Needs

Assistant County Administrator, Peter M. Huber, advised the Board staff recommended an application in the amount of \$700,000 be submitted for the provision of a direct sewer connection from the New River Industrial Park to the Peppers Ferry Regional Waste Water Treatment Plant as well as improved water supply. A prospective industry would be the beneficiary of the water and sewer improvements.

Chairman Sheffey opened the public hearing on this matter for public comments.

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

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors authorized staff to submit an application in the amount of \$700,000 for Community Development Block Grant Funds for water and sewer improvements at the New River Industrial Park.

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

3. Additions to Agenda

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

4. Highway Matters:

Virginia Department of Transportation (VDOT) Resident Engineer, Dan Brugh, met with the Board regarding the following:

a. Follow-up from Previous Board Meetings:

1. Route 643, Thornspring Road, and Route 11, Lee Highway, Intersection Safety

Mr. Brugh advised this road had not been recommended for a speed reduction, but had been recommended for adding turn lanes and hazard signage.

Supervisor White expressed concerns regarding motorists existing Cougar Express Store the wrong way onto Route 11, South. Mr. Brugh advised he would discuss this with Cougar Express owners to eliminate the problem.

2. Overdimensional Truck Access

On the motion of Mr. White, seconded by Mr. Conner and carried the Board of Supervisors requested STAA overdimensional truck access designation for all six industrial park currently in Pulaski County and from I-81 along Old Route 100, Cleburne Boulevard; Route 611, Newbern Road, to the Pulaski Town limit; and Route 694, Wurno Road.

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

Voting no: none.

3. Consideration Of Abandonment Mr. Fred Blevins Of A Portion Of Old Route 710, Mount Olivet Road

Mr. Fred Blevins appeared before the Board of Supervisors and expressed concerns regarding the lack of state maintenance of Old Route

710, Mount Olivet Road, as well as no right of way access to his property from the state road. Mr. Blevins gave a brief history of the road pertaining to maintenance and the abandonment.

County Attorney, Thomas J. McCarthy, Jr., advised the Board that federal officials with the National Forestry had indicated a willingness to give an easement to the county.

Mr. Blevins advised the easement proposed by the National Forestry officials would only extend for seven years, unless new road construction occurs.

The Board of Supervisors requested the County Attorney, Thomas J. McCarthy, Jr., to confirm whether the U.S. Forest Service easement for a public road will only extend for seven years, unless new road construction occurs. Further, the Board requested staff to prepare a map and provide photos of the area in question by the next regular meeting of the Board of Supervisors.

b. Road Viewers Report

The Board of Supervisors reviewed cost estimates for rural addition viewed in December, 1996. The Board discussed whether or not roads where right of way may not be obtained should be taken off of the rural addition list.

On the motion of Mr. White, seconded by Mr. Cook and carried, the Board of Supervisors approved retaining all rural addition requests on one list irregardless of necessary right of way being obtained.

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

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors approved the December, 1996 viewing report and instructed staff to have Circuit Court Clerk certify and file the report with VDOT.

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

The Board of Supervisors further instructed staff to notify interested parties of the need to obtain deeds for necessary right of ways, with a deadline after which projects will be moved to the lowest priority if deeded right of way is not available.

c. FY 98 Revenue Sharing Application

The Board expressed no interest in an FY 98 Revenue Sharing application.

d. HJR 160 Review of Transportation Needs

The Board of Supervisors requested the Resident Engineer to advise the Board of timing for the opportunity of input regarding HJR 160 review of Transportation needs.

e. 1997 Spring Preallocation Hearing

Staff advised the Board that the 1997 Spring Preallocation Hearing would be held on March 12, 1997 at 1:00 p.m. in Salem. The Board authorized participation by county representatives at this hearing on a regional basis.

f. Brandon Road, Rt 715, Dudley Ferry Road, Rt 622, Pulaski Ave., Rt 702, and Madison St., Rt 715, Speed Limit

Posting

Mr. Brugh advised VDOT would review this road and add additional signs as needed.

g. Board of Supervisors Concerns

Supervisor Conner requested refurbishing rumble strips on Route 611, Newbern Road, as approaching Old Route 100, Cleburn Boulevard and Possum Hollow Road.

Supervisors Fariss inquired regarding the status of industrial access funding near the Holston River Quarry. Mr. Brugh advised he and county staff need to follow up on this matter.

Supervisor Sheffey inquired regarding the status of Memorial Bridge maintenance. Mr. Brugh advised that some structural pins are scheduled to be replaced on the bridge later this year.

Supervisor Cook requested VDOT conduct an informal speed study on Route 671, Chestnut Ridge Road.

h. Citizens Concerns

Mr. Jack Bowling inquired whether Fairacres Street was on the road viewers report. He was advised this street had been added to the waiting list for rural additions.

5. Treasurer's Report

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

Treasurer Tickle requested authorization from the Board of Supervisors to publish the 1993 delinquent tax listing.

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors authorized publication of delinquent real estates taxes for 1993.

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

6. Reports on Speed Enforcement Grant

Sheriff Ralph Dobbins appeared before the Board of Supervisors and advised he had obtained a grant for radar speed detection equipment for one vehicle. He informed the Board plans were to implement a "second chance" speeding enforcement program. Said program would provide a warning ticket for the first speeding violation in any six month period and a citation for the second and subsequent violation. He further advised the warning would be waived in cases of reckless driving. He requested the Board consider allocating all fines levied by the local court for this program be re-appropriated for off duty deputy time and equipment for the Sheriff's Department.

The Board agreed to consider re-appropriating fines levied by the local court for use by the Sheriff's Department for off duty deputy time and equipment.

7. Citizen Comments

No citizen comments were heard at this time.

8. Reports from the County Administrator & Staff:

a. FY 97 Revenue Estimates

County Administrator, Joseph N. Morgan, reviewed with the Board FY 97 revenue estimates as prepared by staff. Said estimates project an 11% increase; however, much of the increase is earmarked for the county's economic stimulus program. Staff also advised the revenue estimates had been shared with the School Administration.

b. Suggestions for Wilderness Areas in Jefferson National Forest

The Board of Supervisors took no action on this matter.

c. Key Activity Timetable

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

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors requested a study of additional water treatment capacity or construction of a new water treatment plant and an evaluation of adequacy of water distribution lines county-wide be added to the Key Activity Timetable.

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

d. Appointments:

The Board deferred appointments until the executive session of the meeting.

9. Items of Consent:

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

a. Minutes of January 6 and 27, 1997

The Board approved the minutes of January 6 and 27, 1997 as presented.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 13728 through 14002.

c. Appropriations & Transfers

General Fund Appropriation #11

Revenues:

2404-30 Victims Assistance Grant	\$14,939.00
1899-60 Donations Office on Youth	310.63
1615-01 Library Replacement of Books	307.90
Total	\$15,553.53

Expenditures:

1101-3002 Board of Supervisors Prof. Services	\$ 5,000.00
1101-5804 Board of Supervisors Other Misc.	2,294.00
3303-5203 Court Services Telephone	10,000.00
5338-5606 Victims Assistance Grant	14,939.00
9104-5804 Erroneous Assessments Refunds	1,534.00
5322-7001 Office on Youth Equipment	310.63
7301-5411 Library Books	307.90
7301-5804 Library Other Misc.	50.00

3207-7001 Draper Fire Department Equipment	1,170.48
8305-3006 Extension Printing	168.90
Total	35,774.91

General Fund Appropriation #12

Expenditures:

8105-5604 Economic Development Rt. 219	\$ 2,000.00
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Capital Improvement Fund Appropriation #5

Revenues:

3306-01 ICTEA Grant Draper Mountain	\$120,000.00
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Expenditures:

7220-3002 Draper Mountain Wayside Grant	\$120,000.00
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Internal Service Fund Transfer #1

Revenues:

1651-01 Telephone Charges County Departments	73,257.00
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1650-01 Telephone Charges Other Agencies	40,000.00
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Total \$113,257.00

Expenditures:

1225-5203 Communications Telephone	\$113,257.00
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School Fund Appropriation #13

Revenues:

3301-37 Violence Prevention Team Grant	\$ 6,345.00
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Expenditures:

6946-1621 Violence Prevention Salaries	1,115.00
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6946-2101 Violence Prevention FICA	85.00
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6946-3140 Violence Prevention Other Prof. Serv.	810.00
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6946-6011 Violence Prevention Office Supplies	2,500.00
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6946-6014 Violence Prevention Other Supplies	1,835.00
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Total \$ 6,345.00

Internal Service Fund Transfer #8

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

d. Contracts:

Engineering Services - Route 100 Newbern To Dublin Sewer Extensions

The Board of Supervisors approved assignment of the following tasks to Draper Aden Associates: base mapping - \$9,300; basic engineering for Route 100 - \$14,250; basic engineering for Fairacres West - \$18,700; and basic engineering for VDOT sewer extension \$14,700. The Board further gave no authorization for engineering for areas that are residential only; however did authorize the above engineering work to begin.

e. Ratification:

1. Change Orders

Belspring Asbestos Removal

The Board approved a change order in the amount of \$2,500 for the Belspring School asbestos removal contact with HICO.

2. Contracts:

a. Belspring School Demolition

condolences in his passing;

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Board of Supervisors in permanent testimony of its appreciation to the service provided by Henry A. Farris to the citizens of Pulaski County.

Adopted this 24th day of February, 1997.

h. Submission of Fine Arts Center Grant Application

The Board of Supervisors approved submission of a grant application to the Virginia Commission for the Arts on behalf of the Fine Arts Center in the amount of \$6,500.

i. New River Valley Regional Jail

The Board of Supervisors approved expanding the New River Valley Regional Jail membership to include the Counties of Carroll, Wythe and Floyd.

j. Prelicensing Kennel Inspection

The Board of Supervisors authorized the County Attorney to work with the Treasurer and the Sheriff to draft an appropriate amendment for the prelicensing kennel inspection for a public hearing and possible adoption by the Board.

k. 50th Anniversary of Cub Scout Pack 143

The Board of Supervisors approved the following resolution recognizing the 50th Anniversary of Cub Scout Pack 143:

WHEREAS, Boy Scouts of America Cub Scout Pack 143 was chartered on February 24, 1947; and

WHEREAS, Pack 143 has guided the growth and development of numerous young men on their journey from youth to manhood; and

WHEREAS, Pack 143 has honored the scouting tradition of fostering physical and moral strength in the transition of boys growing up by learning to participate in the world outside their homes; and

WHEREAS, much of the leadership of Pulaski County today and in the future has and will benefit from the positive influence of Pack 143, its den mothers and cub masters;

Now Therefore, Be It Resolved that the Pulaski County Board of Supervisors does proclaim Monday, February 24, 1997 as Cub Scout Pack 143 Day throughout Pulaski County; and

Be It Further Resolved that this resolution be spread on the pages of the minutes of the Board of Supervisors of Pulaski County, Virginia in permanent testimony of its appreciation of the contribution of Cub Scout Pack 143 of the Blue Ridge Mountains Council, Boy Scouts of America.

Adopted this 24th day of February, 1997.

l. GIS Mapping and 911 Addressing Assistance

The Board of Supervisors authorized Anderson and Associates to procure ground control and aerial photography at a scale of 1" equals 400 feet for a cost not to exceed \$25,000. The Board further authorized Anderson and Associates to procure additional photography at a scale of 1" equals 200 feet, if there is

reasonable chance that other users of the photography will participate in the cost, with the cost of such additional photography not to exceed \$20,000.

m. Personnel Policy

The Board of Supervisors adopted the following overall policy table of contents and details of personnel policies for county employees:

n. Concession Agreement

The Board of Supervisors approved the following Concession Agreement with Sam's Vending Corporation for the County Administration Building:

AGREEMENT made February 18, 1997 between the COUNTY OF PULASKI, 143 Third Street, Pulaski, Virginia 24301, herein after referred to as LESSOR and SAM'S VENDING CORPORATION of P. O. Box 232, Pulaski, Virginia 24301, hereinafter referred to as CONCESSIONAIRE.

LESSOR grants to CONCESSIONAIRE the exclusive privilege to establish and conduct vending operations on its premises at 143 Third Street NW, Pulaski, Virginia, in return for a commission of 10% of net sales.

The commission of net sales will be paid on a monthly basis with such payment being made no later than fifteen days following the last day of the month from which the sales are collected.

CONCESSIONAIRE will install and maintain one (1) Pepsi Machine, one (1) Juice Machine, one (1) Snack Machine, one (1) Coke Machine and one (1) Coffee Machine. All vending machines will have a dollar bill acceptor. CONCESSIONAIRE will furnish supplies, including but not limited to, soft drinks at \$.55 per 12 oz. can, pastries at \$.65 each, candy at \$.60 each, nabs at \$.45 each, chips at \$.50 each, lifesavers at \$.50 each, gum at \$.40 each, juice at \$.80 per 12 oz. can, and coffee at \$.35.

CONCESSIONAIRE will comply with all licensing requirements and pay all applicable sales tax with respect to vending operations on LESSOR'S premises.

CONCESSIONAIRE'S right to occupancy shall begin on February 18, 1997 and shall continue for a period of twelve (12) months, that is until March 1, 1998. If this contract is not terminated in writing within thirty (30) days prior to the end of the twelve month contract period, it shall automatically be renewable under the same terms and conditions for another twelve month period, and such automatic renewal shall continue for each twelve (12) month period thereafter unless terminated by the appropriate thirty (30) day written notice before the end of the annual contract term as set forth previously in this paragraph.

IN WITNESS WHEREOF, the parties have executed this Concession Agreement in Pulaski County, Virginia on the day and year first above written.

S/Joseph N. Morgan, County
Administrator, Pulaski County

S/Sam Witt
Sam's Vending Corporation

WITNESS:

S/Roger A. Leonard

10. Citizen Comments

No citizen comments were heard at this time.

11. Other Matters from Supervisors

Dr. Fariss inquired regarding the display of all past members of the Board of Supervisors for the Board Room wall in the County Administration Building. Staff advised this project was planned for the Board Room in the near future.

12. Executive Session - 2.1-344(A)

It was moved by Mr. White, seconded by Mr. Conner and carried, to enter 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 perspective industry.

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

Return to Regular Session

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

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

Certification of Conformance with the Virginia Freedom of Information Act

It was moved by Mr. Cook, 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 of this date pursuant to an affirmative recorded vote and in accordance with the provision 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 members' knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors.

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

*Appointments

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

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

1. Public Service Authority

The Board of Supervisors appointed Mr. Winston Snead to the Public Service Authority Board of Directors to fill the unexpired term of

Dr. David Merrill, ending February 1, 2000.

2. Harry DeHaven Park Advisory Committee

The Board of Supervisors authorized appointing an advisory committee for the Harry DeHaven Park to hold its first meeting by April 1, 1997.

3. Cable TV Advisory Committee

The Board of Supervisors appointed Lee Myers as an additional member to the Cable TV Advisory Committee.

4. Randolph Park Citizens Committee

The Board of Supervisors appointed Charles DeHart as an additional member of the Randolph Park Citizens Committee.

*Personnel

The Board requested a suggested replacement for Supervisor Cook to serve on the Private Industry Council.

*Legal

The Board directed the County Attorney to confer with Ms. Evelyn Alexander regarding the Randolph Park property transfer.

The Board instructed staff to advise Architect Tom Douthat that support is not available for the Pulaski Theatre restoration design.

The Board requested the Planning Commission be advised that Circuit Court Judge Colin Gibb had heard the Sylvanway Apartment case and was currently taking the matter under advisement.

*Prospective Industry

The Board approved providing assistance to a prospective industry to be located in the New River Industrial Park for utility extension, including guarantee of penalty for job creation goal and sharing of engineering costs, subject to project moving forward.

The Board authorized staff to negotiate with Radford Army Ammunition Plan for alternate water source for the New River Industrial Park.

13. Adjournment

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors adjourned to reconvene with the Town of Dublin prior to March 10, or on March 10 for a joint meeting with the Pulaski County School Board at the Pulaski 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

Use of Community Development Block Grant Funds for Local Community Development and Housing

