

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, November 24, 1997 at 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; County Attorney, Thomas J. McCarthy, Jr.; Management Services Director, Nancy M. Burchett; and Executive Secretary, Gena T. Hanks.

Chairman Sheffey welcomed students from the Pulaski County High School government class and members of the Bob White Boulevard Solid Rock Bible Class.

1. Invocation

The invocation was given by Reverend Tim Houston of the Bob White Boulevard Church of God.

2. Additions to Agenda

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

RE: Special Presentation by Draper Aden & Associates

Mr. William Aden of Draper Aden & Associates appeared before the Board of Supervisors to make a special presentation. Mr. Aden advised this year marked the 25th anniversary of Draper Aden & Associates. To celebrate this anniversary the company wanted to recognize their long term clients with a donation to a worthy cause. Therefore, on behalf of Draper Aden & Associates, Mr. Aden presented to the Office on Youth Director, Anthony Akers, a check in the amount of \$1,000 to be used for youth programs within Pulaski County.

The Board of Supervisors expressed appreciation to Mr. Aden for the above donation.

3. Public Hearings

- a. A request by Richard Keith and Brenda Sue Smith for a Conditional Use Permit (CUP) to allow an automobile graveyard and salvage yard on property identified on Pulaski County tax records as parcel 080-001-0000-0013, 1.8 acres, zoned Agricultural (A-1), located on the south side of Caseknife Road (Rt. 758), approximately 600 ft. west of its intersection with Caseknife Ridge Rd. (Rt. 610), in the Robinson District.

County Administrator, Joseph N. Morgan, advised the Planning Commission recommended approval of the above request for a one year period with the following conditions:

1. Clean up outside storage;
2. No additional unlicensed vehicles be brought on the property;
3. Removal of existing vehicles to rear of property;
4. Fluids from vehicles be disposed of properly; and
5. Noncompliance with the conditions specified will be grounds for provoking the permit.

Chairman Sheffey opened the public hearing on this matter.

Mr. Richard Smith requested the Board approve his request for the conditional use permit. Mr. Smith advised he had no problems with complying with the conditions as set forth by the Planning Commission.

Mr. Claude Newman, adjacent property owner, requested the Board deny the request of Mr. Smith. He expressed concerns regarding the lack of plans for disposing of antifreeze.

Dr. Fariss advised the request, as he understood it should only be for an automobile graveyard and not for a salvage yard since Mr. Smith would not be operating a business.

Mr. Fred Hoggatt advised he was against all junk yards in the county.

No further comments were received; therefore, the Chairman closed the hearing on this matter.

On the motion of Mr. Conner, seconded by Dr. Fariss and carried, the Board of Supervisors approved the above request for a Conditional Use Permit to allow an automobile graveyard only, per the Planning Commission recommendation and subject to the conditions outlined above.

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

Voting no: none.

- b. A rezoning request by Tommy Odell from Residential (R-1) to Agricultural (A-1) with a Conditional Use Permit (CUP) to allow an automobile graveyard and Special Use Permit (SUP) to continue operation of a public garage on property identified on Pulaski County tax records as parcel 093-004-0000-0001, 1, 2, 10, total 2.3745 acres, located on the south side of Cecil's Chapel Rd. (Rt. 669), 300 ft. west of the intersection of Clapboard Hollow Road, (Rt. 668), in the Ingles District.

County Administrator, Joseph N. Morgan, advised the Planning Commission recommended approval of the rezoning request. Further, Mr. Morgan advised the Planning Commission had approved a special use permit with the following proffered conditions:

1. The special use permit will be personal to Tommy & Dorothy Odell and their children, not transferable;
2. The garage will never be increased in size more than 273.6 sq. ft. (currently 547.2 sq. ft.);
3. No more than 12 vehicles shall be parked outside at any one time, and only on the Odell property; and
4. Property must comply with VDOT entrance requirements and removal of existing outdoor storage (parts and debris) within one year, and after one year no outdoor storage.

Further, Mr. Morgan advised the Planning Commission recommended approval of the conditional use permit to operate an automobile graveyard for a period of one year with the following conditions:

1. No additional unlicensed vehicles shall be stored on the property;
2. All existing vehicles be moved inside the fenced area;
3. Maximum size of fence area to be as shown on the site plan; and
4. Proffered conditions as submitted by the property owner.

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

Mr. Sam Campbell, Attorney for the Odells, requested the rezoning request be approved. Mr. Campbell advised the Odells had signed the proffered conditions that the Planning Commission had recommended. In addition, Mr. Campbell advised the auto graveyard is for personal use only and not a business.

No further comments were heard; therefore, Chairman Sheffey closed the public hearing on this matter.

On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board of Supervisors approved the rezoning request by Tommy Odell, per the Planning Commission recommendation and above conditions, and per the proffered conditions offered to by the Odells. A copy of said proffered conditions shall be filed with the Office of the County Administrator.

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

Voting no: none.

c. Revisions as required by the Federal Emergency Management Agency (FEMA) to Article 11, Floodplain Management District (FM-1) of the Pulaski County Zoning Ordinance

County Administrator, Joseph N. Morgan, advised the Planning Commission recommended approval of the revisions proposed. Further, Mr. Morgan advised approval by the Board of Supervisors will allow county citizens to continue to obtain flood insurance for their homes and businesses.

Chairman Sheffey opened the public hearing on this matter.

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

Dr. Fariss expressed concerns regarding the language in several sections of the proposed revisions regarding building near or around a floodplain area. He advised future development in a floodplain area could be impeded and very expensive.

Mr. Morgan reported the county would be fairly unique should the Board not approve the revisions. He suggested the Board approve the revisions and that staff contact insurance, financial, and real estate professionals within six months to determine what effect, if any, not offering the insurance would create. Mr. Morgan further advised the Board of Supervisors can always rescind any ordinance at any time.

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors approved the revisions, per the recommendation of the Planning Commission, subject to any corrections by FEMA, and subject to input by insurance experts and an evaluation by staff. A copy of said revisions shall be filed with the Office of the County Administrator.

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

Voting no: none.

The staff report on this matter was requested by June 1998.

- d. Rezoning from Agricultural (A-1) to Commercial (CM-1) property owned by Barry W. and Sharon L. Hunter, identified on Pulaski County tax records as parcel 057-001-0000-013A, 0.35 acre, located 1,200 ft. east of the intersection of State Park Rd. (Rt. 660) and I-81, in the Ingles District.

County Administrator, Joseph N. Morgan, advised the Planning Commission recommends approval of this rezoning request with the understanding that the access easement to the Hunter property be relocated approximately 200 ft. north of the interstate ramp and easements for the installation of water and sewer to the Hunter property will be provided by the adjacent property.

Chairman Sheffey opened the public hearing on this matter.

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

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

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

Voting no: none

e. An Amendment to Tax Relief to the Elderly & Disabled Ordinance to increase the Exempted Disability Income from \$2,500 to \$3,500

Commissioner of Revenue, Maynard H. Sayers, addressed the Board of Supervisors regarding the above amendment. He recommended approval by the Board of Supervisors to increase the exempted disability income from \$2,500 to \$3,500. Mr. Sayers advised last year 569 applications were received for tax relief under the provisions of this ordinance and 534 applications were approved. The total amount of relief for last year was reported by Mr. Sayers to be \$69,478.79.

Chairman Sheffey opened the public hearing on this matter.

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

On the motion of Mr. White, seconded by Dr. Fariss and carried, the Board of Supervisors adopted the following Tax Relief to the Elderly and Disabled Ordinance:

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

Voting no: none.

TAX RELIEF TO ELDERLY AND DISABLED

DESCRIPTION:

The following ordinance grants real estate tax relief to certain Pulaski County citizens sixty-five (65) years old and older or the permanently and totally disabled.

AUTHORITY:

The following ordinance is adopted pursuant to authority granted the local government body by the 1950 Code of Virginia, as amended, in Title 58.1, Sections 58.1-3210 through 58.1-3218.

POLICY:

By statute the General Assembly of Virginia has deemed and the Pulaski County Board of Supervisors hereby deems those persons falling within the age category of sixty-five (65) years old and older or the permanently and totally disabled to be bearing an extraordinary tax burden on real estate, in relation to the income and financial worth of said individuals. The purpose of this ordinance is to grant relief from this extraordinary tax burden. Said relief will be in proportion to need and financial worth of the individual defined above.

GENERAL:

The Board of Supervisors for the County of Pulaski does hereby ordain and provide for the exemption from a portion of taxation of real estate, including manufactured homes, owned by and occupied as the sole dwelling of anyone at least sixty-five (65) years of age or anyone found to be permanently and totally disabled as defined in Section 58.1-3217 of the Code of Virginia, 1950, as amended, or its successor statutes, provided the aforesaid person or persons meet the following eligibility requirements:

1. The total combined income received from all sources during the immediately preceding calendar year, by the owners of the dwelling who use it as their principal residence, and of the owner's relatives living in the dwelling shall not exceed Seventeen Thousand Five Hundred Dollars (\$17,500.00). However, the first Two Thousand Five Hundred Dollars (\$2,500.00) of income of each relative, other than the spouse of the owner or owners, who are living in said dwelling shall not be included in such total eligibility. For the purpose of this ordinance, "relative" shall mean one person connected with another by blood or marriage. The first Three Thousand Five Hundred Dollars (\$3,500.00) of income for an owner received as permanent disability compensation shall be excluded from total income.
2. The net combined financial worth, including the present value of all equitable interests, as of the 31st day of December of the immediately preceding calendar year of the owners and of the spouse of any owner, excluding the value of the dwelling and the land, not to exceed one acre, upon which it is situated, shall not exceed Forty-five Thousand Dollars (\$45,000.00).
3. The person or persons claiming such exemption shall file annually, no later than April 1st of the year in which exemption is to be granted, with the Commissioner of Revenue of this County, on forms to be supplied by the County, an affidavit setting forth the names of related persons occupying such real estate; that the total combined net worth, including equitable interest, and the combined income from all sources of the person or persons as specified in paragraph one above does not exceed the limits prescribed in this ordinance. The Commissioner of Revenue of

the County shall also make such further inquiry of persons seeking such exemption, requiring answers under oath, as may be reasonably necessary to determine qualifications as specified herein. The Commissioner of Revenue of the County is hereby empowered, to require the certified income tax return of any applicant for tax relief, if the Commissioner deems said returns are necessary in addition to the affidavit provided for above. For purpose of this section, term "Certified Tax Return" shall mean a tax return certified by the applicant or applicants for tax exemption or a Certified Public Accountant. The Commissioner shall determine if a return certified by an accountant is necessary.

4. Such exemption as herein provided may be granted for any year following the date that the qualifying individual occupying such dwelling and owning partial title thereto reaches the age of sixty-five (65) years or for any year following the date the permanent and total disability occurred.

DEFINITION OF PERMANENTLY AND TOTALLY DISABLED:

For purposes of this section the term "permanently and totally disabled" shall mean those persons who are unable to engage in any substantially gainful employment activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Said determination of eligibility shall be evidenced by a determination of the Social Security Administration, Veteran's Administration, Railroad Retirement Board, that such person is permanently and totally disabled.

In the event any applicant for relief is unable to obtain such determination from the Social Security Administration, or the Railroad Retirement Board, than and in that event such disability and eligibility may be determined by a sworn affidavit from two (2) medical doctors who are licensed to practice medicine in the Commonwealth of Virginia or are military officers on active duty who practice medicine with the United State Armed Forces, that such person is permanently and totally disabled and unable to engage in any substantially gainful employment. At least one of the medical doctors making such affidavit must state that he has made a personal physical examination of such person.

AMOUNT OF EXEMPTION:

Exemption granted pursuant to this ordinance will be in accordance with the following chart; provided, however in no case shall the total exemption of the taxes exceed Three Hundred Dollars (\$300.00).

<u>Annual Income</u>	<u>Percentage of Tax Due Which Will Be Exempted</u>
\$ 0 - \$10,500	80%
\$10,500 - \$12,500	60%
\$12,501 - \$15,000	40%
\$15,001 - \$17,500	20%

MANUFACTURED HOMES:

For purposes of this ordinance and Article X, Section 6 (b) of the Constitution, “manufactured home” means a structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and forty body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating and electrical systems contained in the structure.

SEVERABILITY:

If any segment or segments of this ordinance shall be adjudicated unlawful by a court of competent jurisdiction, the remaining segment or segments shall remain in full force and effect.

ADMINISTRATIVE RESPONSIBILITY:

The responsibility for administration of this ordinance shall rest with the Commissioner of Revenue.

PERSONS NOT PHYSICALLY LIVING IN RESIDENCE:

The fact that persons who are otherwise qualified for tax exemption are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

EFFECTIVE DATE:

This ordinance shall become effective at its adoption by the Pulaski County Board of Supervisors with exemptions becoming effective with taxes assessed in the calendar year 1998.

FIRST YEAR APPLICATION DATE:

The application deadline for exemption for the 1998 tax year shall be April 1, 1998, and shall be April 1 for subsequent years.

f. Amendment to the Election District Ordinance to: relocate Pulaski Polling Place from Pulaski Firehouse to Central Gym, and to clarify Precinct Boundaries

County Administrator, Joseph N. Morgan, reported the relocation change had been requested by the Electoral Board.

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

Ms. Beth Ann Holmes, Secretary of the Electoral Board, advised the Pulaski polling place change is requested due to overcrowding and parking problems at the Pulaski Firehouse. In addition, she advised the county would save \$200.00 in rent if the polling place was moved to Central Gym.

Ms. Kathy Webb, County Registrar, advised the precinct boundaries needed minor changes which had recently been detected by her office.

Mr. Charles Stafford addressed the Board of Supervisors regarding the overcrowding at the Pulaski Firehouse voting location. He requested the Board to approve the relocation of the voting location from the firehouse to Central Gym.

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

Dr. Fariss expressed concerns regarding the precinct boundaries clarification. He requested the Board review the old precinct boundary maps to compare with new maps prior to approving the boundary clarifications.

On the motion of Mr. White, seconded by Mr. Conner and carried, the Board of Supervisors approved the following amendment to the Election District Ordinance to relocate the Pulaski Polling Place from Pulaski Firehouse to Central Gym and approved the precinct boundaries clarification.

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

Voting no: none.

BE IT ORDAINED that the following sections of the Election District Ordinance 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 Districts described in Section 4, hereinabove, for Pulaski County, Virginia, are hereby created and established as follows:

<u>Cloyd Election District Precinct</u>	<u>Polling Place</u>
West Cloyd Belspring New River	New River Valley Fairgrounds Belspring United Methodist Church Fairlawn Firehouse
<u>Draper Election District Precinct</u>	<u>Polling Place</u>
South Pulaski Draper Newbern	Central Gym Draper Firehouse Newbern Community Center
<u>Ingles Election District Precinct</u>	<u>Polling Place</u>
Dublin Hiwassee Snowville	Dublin Firehouse Hiwassee Firehouse Snowville Firehouse
<u>Massie Election District Precinct</u>	<u>Polling Place</u>
Massie Walker	Central Gym New River Valley Fairgrounds

Robinson Election District
Precinct

Polling Place

Robinson

Central Gym

Section 7. PRECINCT BOUNDARIES

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

BELSPRING VOTING PRECINCT (Cloyd Election District)

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

NEW RIVER VOTING PRECINCT (Cloyd Election District)

Beginning at the point where State Route 747 intersects with U. S. Route 11; thence following a line 142° south to its intersection with New River; thence following the center line of New River in a northeasterly direction to its intersection with State Route 623; thence following the center line of State Route 623 southwest to its intersection with State Route 600; thence following the center line of State Route 600 northwest to its intersection with State Route 624; thence following the center line of State Route 624 south to its intersection with State Route 625; thence following the center line of State Route 625 to its intersection with State Route 627; thence following the center line of State Route 6s27 northwest to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence following said line southeast to its intersection with U. S. Route 11; thence northeast to the point of beginning.

WEST CLOYD VOTING PRECINCT (Cloyd Election District)

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

DRAPER VOTING PRECINCT (Draper Election District)

Beginning at the point where New River intersects the Wythe County/Pulaski County boundary; thence in a northeasterly direction to the point where State Route 672 intersects New River; thence following the center line of State Route 672 northwest to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south *to its intersection with State Route 99; thence following the center line of State Route 99* extended to the peak of Draper's Mountain; thence in a westerly direction with the crest of Draper's Mountain to the point where Draper's Mountain intersects the Wythe County/Pulaski County boundary; thence southeast following the Wythe County/Pulaski County boundary to the point of beginning.

NEWBERN VOTING PRECINCT (Draper Election District)

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

thence following the center line of New River southwest to its point of beginning.

SOUTH PULASKI VOTING PRECINCT (Draper Election District)

Beginning at the point where U. S. Interstate 81 intersects Peak Creek; thence southwest following the center line of U. S. Interstate 81 to its intersection with State Route 99; thence following the center line of State Route 99 extended northwest to the peak of Draper Mountain; thence following the crest of Draper Mountain southwest to the intersection of Draper Mountain with the Wythe County/Pulaski County boundary; thence following said Wythe County/Pulaski County boundary northwest to its intersection with State Route 610; thence following the State Route 610 northeast to its intersection with the Town of Pulaski's corporate limits; thence following said corporate limits east to its intersection with Valley Road; thence following the center line of Valley Road northwest to its intersection with Norfolk and Western Railroad tracks; thence following Norfolk and Western Railroad tracks east to its intersection with Peak Creek; thence following Peak Creek east to the point of beginning.

DUBLIN VOTING PRECINCT (Ingles Election District)

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

HIWASSEE VOTING PRECINCT (Ingles Election District)

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

SNOWVILLE VOTING PRECINCT (Ingles Election District)

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

MASSIE VOTING PRECINCT (Massie Election District)

Beginning at the point of the intersection of State Route 636 and State Route 645; thence following the center line of State Route 645 west to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence north along such electrical transmission line to its intersection with State Route 643; thence south along State Route 643 to its intersection with U. S. Route 11; thence east along U. S. Route 11 to its eastern intersection with State Route 643; thence following the center line of State Route 643 south to its intersection with State Route 611; thence following State Route 611 east to its intersection with U. S. Interstate 81; thence following the center line of U. S. Interstate 81 south to its intersection with Peak Creek; thence following the center line of Peak Creek west to its intersection with the Norfolk and Western Railroad tracks near the corporate limits of the Town of Pulaski; thence following Norfolk and Western Railroad tracks west to its intersection with Washington Avenue; thence following the center line of Washington Avenue north to its intersection with State Route 636; thence following the center line of State Route 636 north to the point of beginning.

WALKER VOTING PRECINCT (Massie Election District)

Beginning at the point where U. S. Route 100 intersects the Giles County/Pulaski County boundary; thence following the center line of U. S. Route 100 south to its intersection with U. S. Route 11; thence west on U. S. Route 11 to its intersection with State Route 643; thence west on State Route 643 to its intersection with an Appalachian Power Company high voltage overhead electrical transmission line; thence north along center line of said transmission line to its intersection with State Route 636; thence following the center line of State Route 636 southwest to its intersection with State Route 643; thence following the center line of State Route 643 northwest to its intersection with crest of Little Walker Mountain; thence following crest of said mountain to its intersection with State Route 738; thence northwest following the center line of State Route 738 to the Bland County/Pulaski County boundary thence northeast following said boundary to point of beginning.

ROBINSON VOTING PRECINCT (Robinson Election District)

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

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. Memorial Bridge Status

Mr. Brugh provided the Board with an update on the Memorial Bridge, and reviewed a concept map drawing of the new bridge.

2. Surface Transportation Assistance Act Status

Mr. Brugh advised VDOT is currently reviewing status of the Board of Supervisors request to allow double trailers access to all industrial parks and major industries in the county.

3. New River Industrial Park Road Acceptance

On the motion of Mr. White, seconded by Mr. Cook and carried, the Board of Supervisors approved the following resolution accepting the New River Industrial Park Road as a rural addition:

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

Voting no: none.

WHEREAS, the street described below was established prior to 1985, and currently serves at least 3 businesses per mile; and

WHEREAS, the Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-72.1, Code of Virginia; and

WHEREAS, after examining the ownership of all property abutting these streets, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to Section 33.1-72.1, Code of Virginia.

Name of Street: Viscoe Road Length: 0.41 miles
From: End State Maintenance Route 679
To: Cul-de-sac
Guarantee Right of Way Width: 50 foot
Deed Recorded: November 24, 1997
Deed Book No. 0606, Page 0356

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

BE IT FURTHER RESOLVED, the Board of Supervisors request the Virginia Department of Transportation to place this street in the secondary highway system of Pulaski County for maintenance pursuant to Section 33.1-72.1, Code of Virginia, and

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

b. Six Year Plan Adoption

d. Rt. 11, Lee Highway, Speed Limit Request

Mr. Morgan advised the individual who had made this request, Joseph Robbins, had been advised the entire area is under review by the Planning Commission.

Supervisor White suggested some staff or advisory agency review future speed limit requests, possibly similar to that of the former Highway Safety Commission.

e. Speed Study Request Rt. 663, Owens Road

Ms. Connie Lee expressed concern over safety on a sharp turn near Claytor Lake Estates. Mr. Brugh advised VDOT would review this request for possible adding to the six-year plan waiting list or possibly as a safety matter to be handled through other funding alternatives. Also, Mr. Brugh suggested this be referred to the Sheriff for speed enforcement.

f. Rt. 611, Bob White Blvd., Traffic Concerns

The Board of Supervisors reviewed a request from Robert Hudson regarding traffic concerns on Rt. 611, Newbern Road and its extension in the Town of Pulaski, Bob White Boulevard, and the need for improvements. Mr. Brugh advised this request would be a six year plan item; however, VDOT would review the section of Rt. 611, Newbern Road, located within the county to determine appropriate action to address the traffic concerns.

g. Rt. 738, Robinson Tract Road Tractor/Trailer Prohibition

Mr. Brugh advised VDOT would review this request for possible placement of signs prohibiting tractor/trailer traffic on Rt. 738.

h. Road Viewing

The Board confirmed the road viewing scheduled for Saturday, December 6, 1997 at 8:00 a.m. at the County Administration Building. Supervisor Conner requested the Board also view Hatcher Road, Route 807.

i. PCHS School Zone Signs

Mr. Brugh advised these signs will be removed by VDOT.

j. Armstrong Street, Route T1050, No Parking Sign

Mr. Brugh advised VDOT would review this request for possible replacement of "no parking signs".

k. Citizens Comments

Mr. Robert Chinault inquired regarding Route 755, Depot Road, widening. Chairman Sheffey advised Mr. Chinault of the meeting to be held with citizens at the Belspring United Methodist Church on November 25, 1997 at 2:00 p.m. Said meeting will include officials from VDOT who will be available to address citizen concerns on this matter.

l. Board of Supervisors Concerns

Supervisor White expressed appreciation to VDOT for the Route 812, Pepperell Way, striping.

Supervisor Conner expressed thanks to VDOT for the Route 611/Route 100 striping and for the re-opening of Route 682, Newbern Road, at the Dublin Town Center.

Supervisor Fariss expressed concerns regarding low areas of Route 693, Lead Mine Road. Supervisor Fariss advised these low areas are prone to flooding. Mr. Brugh advised VDOT would review this area for possible improvements.

Supervisor Cook inquired regarding the Route 100, Cleburne Blvd., four-laning status. Mr. Brugh reported VDOT's tentative schedule for groundbreaking to be May, 1998.

Supervisor Cook also inquired about the possibility of four-laning Route 100 in Giles County. Mr. Cook advised this was a major link between Pulaski and Giles County. Mr. Brugh advised this would be placed back on the six year plan for Giles County in the future.

m. Other Matters

No other highway matters were discussed at this time.

5. Treasurer's Report

The Board reviewed the monthly trial balance report, sales tax distribution report, and certificates of deposit as prepared by County Treasurer, Rose Marie Tickle. The Board accepted the reports as presented.

6. Citizen Comments

Mr. Charlie Linkous expressed concerns regarding the REMSI ambulance service and presented a citizen's petition. Mr. Linkous requested a financial statement for REMSI funds.

7. Update on School Capital Improvements Expenditures

Lewis Pratt, Chairman of the School Board, updated the Board of Supervisors regarding the need for additional funds in the amount of \$146,000 for roof repairs.

Supervisor White advised this type of expense should have been planned and budgeted for and should not be considered an “emergency” need.

Mr. Pratt advised the word “emergency” was probably not the appropriate word; however, the School Board felt it in the best interest of the taxpayers to fix the roofs and not patch them.

Supervisor Cook expressed concerns that this request was not brought to the Board of Supervisors attention during the budget process.

Dr. Asbury invited board members to visit the schools and review the roofs first hand.

It was moved by Mr. Conner to approve the amount of \$146,000, as requested by the School Board, for roof repairs. This motion did not receive a second.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors tabled this matter.

Voting yes: Dr. Fariss, Mr. Cook and Mr. White.
Voting no: Mr. Sheffey and Mr. Conner.

8. Reports from the County Administrator and Staff:

a. County Flag Selection

The Board viewed the two county flags recently purchased by staff. The Board also reviewed correspondence from Nancy Burchett, Management Services Director, regarding costs for possibly purchasing additional flags made with a silk screening process. In addition, it was noted individuals and groups had expressed an interest in purchasing a county flag. Staff also recommended the county flag design and colors be copyrighted.

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors authorized staff to purchase twenty-five additional county flags to be sold by the Chamber of Commerce as a fund-raiser with one of the flags to be donated to the VFW, four flags to be retained for county use, and the remaining twenty flags to be sold by the Chamber. Further, the Board of Supervisors instructed staff and/or the County Attorney to proceed with necessary steps to copyright the design and colors of the county flag.

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

Voting no: none.

b. Key Activity Timetable

The Board of Supervisors reviewed the Key Activity Timetable as presented by staff. The Board requested an update from the Friends of the Pulaski Theatre at the December 15, 1997 supervisors meeting.

c. Appointments

1. Board of Equalization
5. Recreation Commission
6. PDPC Recreation Commission Study Committee
7. School Property Task Force Committee
8. Western VA Emergency Medical Services Council

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

d. 1998 Legislative Issues

On the motion of Dr. Fariss, seconded by Mr. White and carried, the Board of Supervisors directed staff to send to legislators previously adopted resolution opposing the repeal of the personal property tax.

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

Voting no: none.

The Board further instructed staff to request the legislators to re-examine highway funding.

Dr. Fariss requested the legislators be advised of the county's interest in unblocking the New River Trail in Wythe County.

9. Items of Consent:

On the motion of Dr. Fariss, seconded by Mr. White 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 and Mr. Conner.

Voting no: none.

a. Minutes of October 27, 1997

The Board approved the minutes of October 27, 1997, 1997, as presented.

b. Accounts Payable

The Board approved the accounts payable listing for checks numbered 16794 through 17206.

c. Appropriations & Transfers

The Board approved the following additional appropriations and transfers as follows:

1. Interoffice Transfers #5 - \$37,936.79

The Board approved Internal Service Fund Transfer #5 in the amount of \$37,936.79 as presented and filed with the records of the Director of Management Services.

2. General Fund Appropriation #5A-\$120,130.26

Revenues

1901-54 NRVPDC Regional Jail	\$	52,689.62
2404-30 Victims Assistance Grant		43,346.00
1618-02 Cooking Class Fees		473.00
1615-07 Library RIF Donations		1,000.00
1615-01 Library Memorial Donations		<u>457.64</u>
Total	\$	97,966.26

Expenditures:

3302-1001 Regional Jail Salaries	\$	41,083.22
3302-2001 Regional Jail FICA		3,142.87
3302-2002 Regional Jail VRS		5,443.53
3302-2005 Regional Jail Health Ins.		2,871.00
3302-2006 Regional Jail Life Ins.		144.00
3302-2025 Regional Jail Flex Plan		5.00
3304-6001 NRV Juv. Detention Home		10,592.00
5338-5606 Victims Assistance		43,346.00
7115-5604 Friends of Claytor Lake		4,059.00
8305-3006 Extension Office Printing		473.00
9104-5804 Erroneous Assessments		889.00
7301-5604 Library RIF		1,000.00
7301-5411 Library Books		457.64
8105-5604 Econ. Dev. Rt. 219 Project		<u>6,624.00</u>
Total	\$	120,130.26

3. Capital Improvement Fund Appropriation #5 - \$17,755.00

Revenues:

5102-00 Transfer from Gen. Fund \$ 17,755

Total \$ 17,755

Expenditures:

3213-700511 Twin Comm. Pumper \$ 8,708

3505-7148 Emerg. Serv. Fairlawn Fire House 7,975

4109-5814 Road Viewing 295

4307-7013 Courthouse Landscaping 777

Total \$ 17,755

d. Ratification:

1. Contracts

2. Change Orders:

3. Agreements:

6. Other:

*Sheriff/School Resource Officer at PCHS

The Board ratified renewal of the grant funding for the Resource Officer at Pulaski County High School in the amount of \$35,000 with no local dollar match.

e. 1997 Holiday Schedule

The Board of Supervisors approved the following additional Thanksgiving and Christmas holidays identical to those approved by the Governor for state employees: one-half day on November 26, one-half day on December 24, all day on December 26 and January 2.

f. Circuit Court Clerk's Document Management and Imaging System RFP & Appointment to Task Force

The Board of Supervisors authorized staff to issue an RFP for the Circuit Court Clerk's Document Management and Imaging System and approved implementation of a task force to investigate the efficiency of such a system. Said Task Force to report back to the Board as information is available.

g. Board of Equalization Budget Amendment

The Board of Supervisors approved compensating the Board of Equalization members \$200.00 per day and pay for travel, postage, recording keeping and clerical expenses.

h. J. D. Johnston Store Property Clean-up

The Board of Supervisors authorized staff to pursue enforcement of the Johnson property cleanup on or after April 1, 1998 if no cleanup action has been taken by the property owner at that time.

i. Proposal Re: Old Landfill Firing Range

The Board of Supervisors reviewed a request to allow public access to the firing range at the old landfill. The Board of Supervisors referred this matter to Sheriff James Davis for a recommendation.

j. Veteran's Day Resolution

The Board of Supervisors approved the following resolution honoring Veteran's Day:

VETERANS RESOLUTION

WHEREAS, on Veterans Day, we honor and salute all of the many Americans who throughout our history, have unselfishly placed their lives on the line for freedom; and

WHEREAS, our nation first remembered our “doughboys” who, in World War I, died on the battlegrounds in Europe with “Armistice Day; and

WHEREAS, Armistice was conceived as a tribute to the Americans who sacrificed their lives in the “Great War” and the Veterans remaining among us from this period should be proud of their service; and

WHEREAS, today, we honor all American Veterans who have served in every other war and conflicts, before and after World War I, to defend democracy; and

WHEREAS, we also honor our Veterans from every period of peace as well, for they protect what our war Veterans fought and died to defend; and

WHEREAS, American Veterans represent all races and ethnic groups, are both men and women, are of every creed and belief, and are of every physical description; and

WHEREAS, our veterans are your neighbor next door, the owner of the grocery store, the fireman saving lives, and from every walk of life; and

WHEREAS, Veterans are the 26 million Americans living today who have proudly worn their country’s military uniform; and

WHEREAS, Veterans are the more than one million who have died defending the United States; and

WHEREAS, Veterans are just ordinary citizens who answered the call to duty when it came; and

WHEREAS, duty to their country took them from the safety of their homes and families and often led them to the hardship and dangers of war; and

WHEREAS, Veterans left the peacetime opportunities in offices, factories, and farms, and committed themselves to becoming marines, airmen, soldiers and sailors;

NOW, THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors does express its thoughtfulness and appreciation for all of the Veterans that have made liberty for all Americans possible.

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

Voting no: none.

k. Personnel Changes

The Board of Supervisors reviewed recent personnel changes as reported by Management Services Director, Nancy M. Burchett.

l. Jefferson School Playground Equipment

The Board of Supervisors approved donating old Jefferson School playground equipment to Newbern Elementary, subject to acceptance by the Pulaski County School Board of ownership of the equipment.

m. New River Designation for National Wild Scenic River System

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors denied a request from Montgomery County requesting assistance from Congressman Boucher in designating a portion of the New River be included in the National Wild and Scenic River System. Said request denied due to future development possibly being prohibited by this designation.

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

Voting no: none.

n. Claytor Village Subdivision Private Road Status

The Board of Supervisors approved a private road status for Hale Lane, off of Route 660, Claytor Lake State Park Road, as recommended by the Planning Commission.

o. Building Usage Application – Old Central Gym

The Board of Supervisors approved a building usage application for use of the Old Central Gym by the Office on Youth in conjunction with the YMCA for karate classes to be open to the general public.

p. Belspring Post Office Site Option Extension

The Board of Supervisors approved a sixty (60) day extension through the end of February, 1998 to the Postal Service option on the Belspring Spring School.

11. Citizen Comments

Ms. Karita Johnston accepted the April 1, 1998 deadline for the J. D. Johnston Store property cleanup as approved by Board of Supervisors.

Mr. Ed Hoggatt suggested the junk car enforcement notice be placed in the Public Service Authority utility bills.

12. Other Matters from Supervisors

Supervisor Fariss inquired regarding the Route 100 water and sewer service. Staff advised the engineering study is currently underway by Draper Aden & Associates.

Supervisor Fariss inquired regarding the county entrance signs. Staff reported the property for the signs needed to be acquired.

Supervisor Fariss inquired regarding the status of the Randolph Park planning. Staff advised proposals have been received and correspondence is being drafted to send to businesses for potential funding of the park.

Supervisor Fariss inquired regarding the American Cable Entertainment service across the River from Radford to Pulaski County. He requested staff to inquire why cable service cannot be extended to the Snowville area of the county.

No other matters from supervisors were discussed at this time.

13. Executive Session – 2.1-344(A)

It was moved by Mr. White, seconded by Mr. Cook and carried, to enter executive session in accordance with Section 2.1-344(A) of the 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 the motion of Mr. Cook, 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. White, seconded by Dr. Fariss 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:

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 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 and 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:

1. Board of Equalization

The Board of Supervisors nominated Richard Jones, Frank Brown and Sherman Lee to serve on the Board of Equalization.

2. PDPC Recreation Commission

The Board of Supervisors deferred action on the above appointment until the February 23, 1998 meeting and requested staff contact Charles Twine and Bob Piscura regarding interest in continuing to serve on the PDPC Recreation Commission.

3. PDPC Recreation Commission Study Committee

The Board of Supervisors appointed Supervisors Fariss and Sheffey to the PDPC Recreation Commission Study Committee with the committee requested to meet after the January 29, 1998 joint town councils/board of supervisors meeting.

4. School Property Task Force Committee

The Board of Supervisors appointed Supervisors Cook and White to the School Property Task Force

Committee with the committee to schedule to meet after the first of the year.

5. Western VA Emergency Medical Service Council

The Board of Supervisors reappointed David Smith to serve on the Western VA Emergency Medical Service Council for a three year term ending January 31, 2001.

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

Voting no: none.

*Land Acquisition

American Electric Power Max Creek Donation

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the county administrator be authorized to work with American Electric Power and undertake the necessary steps to accept donation from American Electric Power of a site along Max Creek for additional public access to Claytor Lake.

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

Voting no: none.

*Legal

School Request for Capital Improvement Expenditures

On the motion of Mr. Cook, seconded by Mr. White and carried, the Board of Supervisors approved the request from the School Board in the amount of \$146,000 with a transfer of the recent health insurance credit (approximately \$64,000) being applied to this amount resulting in additional local dollars approved to be \$146,000 less the health insurance credit transfer or approximately \$82,000.

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

Voting no: none.

The Board of Supervisors requested the School Board provide minutes of the School Board meetings to the County Administration staff with county staff to send the School Board minutes to the Board of Supervisors via the weekly update.

Tax Return for Profit Tenants in Non-profit or Tax Exempt Organization

The Board of Supervisors authorized staff to study the possible tax return on for profit tenants in non-profit or tax exempt organizations.

Other Matters

Staff was requested to investigate cracks in the terrazzo flooring at the Brick Courthouse.

14. Adjournment

On the motion of Dr. Fariss, seconded by Mr. Conner and carried, the Board of Supervisors adjourned to reconvene on Saturday, December 6, 1997 at 8:00 a.m. at the County Administration Building for the annual road viewing. The next regularly scheduled meeting of the Board of Supervisors is set for Monday, December 15, 1997 at 7:00 p.m. at the County Administration Building, Board Room, 143 Third Street, N.W. in the Town of Pulaski, Virginia.

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

Voting no: none

Joseph L. Sheffey, Chairman

Joseph N. Morgan, Clerk