

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, July 23, 2001, at 7:00 p.m. at the County Administration Building Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Joseph L. Sheffey, Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Absent: Bruce L. Fariss. Staff members present included County Administrator, Peter M. Huber; Community Development Director David Tickner; and Executive Secretary, Gena Hanks. Also present was Thomas J. McCarthy, Jr., County Attorney

1. Invocation

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

2. Additions to Agenda

The Board reviewed additions to the agenda and accepted them as presented by staff.

Presentation to Bob Piscura

Supervisor Cook presented a plaque to Bob Piscura in appreciation for his efforts in raising approximately \$860,000 through monetary and in-kind contributions for the Randolph Park project.

Supervisor Cook reported that approximately 15,490 people had attended the Randolph Park pool complex through Sunday, July 22, 2001 and the gate receipts for the pool complex totalled \$45,422.96.

3. Public Hearings

- a. A rezoning request by Bob Harman from Conditional Industrial (I-1) for Woodworking to Conditional Industrial (I-1) for Textile Manufacturing on property owned by James W. & Loretta Webb identified by tax map no. 036-001-0000-0011, (1.315 acres), located at 6500 McGavock Rd., Cloyd District.

The Community Development Director explained the request.

The Chairman opened the public hearing. There were no citizen comments. The Chairman closed the public hearing.

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board approve the rezoning request, as recommended by the Planning Commission.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

- b. A request for Special Use Permit (SUP) by Jayam, Incorporated to allow a sign setback variance per Section 15-7.3 of the Zoning Ordinance for Hampton Inn on property identified as tax parcel 065-001-0000-0137, (2.896 acres), zoned Commercial (CM1), located at 4420 Cleburne Blvd.,

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board approve the special use permit request, as recommended by the Planning Commission.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

- e. A request for Special Use Permit (SUP) by Tara Kent Fowlkes Edwards to allow individual camping per Section 5B-3 of the Zoning Ordinance on property identified as tax parcel 099-001-0000-053A, zoned Residential (R1), located at 2524 Brown Rd., Draper District

The Community Development Director explained the request had been tabled by the Planning Commission at its July 10, 2001 meeting.

The Chairman opened the public hearing and explained consideration of the request and a subsequent Planning Commission recommendation would be made at the August 27, 2001 Board meeting. There were no citizen comments. The public hearing was closed.

- f. A request for Special Use Permit (SUP) by Harold W. & Rita Faye Thornton to allow a cabinet shop per Section 2-3 of the Zoning Ordinance on property identified as tax parcel 085-001-0000-033A, (.3000 acres), zoned Agricultural (A1), located at 7056 Little River Dam Rd., Ingles District.

The Community Development Director explained the Planning Commission had conducted a public hearing; however, the advertisement for the public hearing incorrectly listed the number for the parcel involved. Therefore, staff was directed to readvertise the public hearing for the Planning Commission's August 14 and Board of Supervisors August 27 meetings.

- g. A request for road name change for an unnamed road off of Veterans Hill Road (Rt. 722) to Millirons Lane for a private road located west off Veterans Hill (Rt. 722) near Salley Lane intersection, Robinson District

The Community Development Director advised the Planning Commission had approved the request following a public hearing and that no action by the Board of Supervisors is required, since the matter was not appealed.

- h. Condition of an unsafe structure owned by Ralph A. Sheffey, Jr., identified on Pulaski County Real Estate records as tax map parcel 038-001-0000-0026, Zoned Residential (R1), 0.3670 acre, located on the South side of Falling Branch Road (Rt. 798), Approximately 75 ft. east of the New River Rd. (Rt. 624) intersection, Cloyd District.

Chairman Sheffey declared a conflict of interest and turned the table over to Supervisor Charles Cook.

The Community Development Director explained staff had erroneously reported that an extension had been granted to Mr. Sheffey in his property cleanups efforts. He summarized a site visit to the property and had determined some work had been ongoing, including roof replacement and repairs to the back of the porch. Therefore, the Community Development Director recommended no enforcement of demolition of the structure at this time.

- i. Community Development Block Grant Application

The County Administrator deferred explanation of the hearing to Ms. Monica Appleby of Virginia Mountain Housing. Ms. Appleby explained the benefits of the \$100,000 Community Development Block Grant application.

The Chairman opened the public hearing. There were no citizen comments. The Chairman closed the public hearing.

It was moved by Mr. Hale, seconded by Mr. Cook and carried, that the Board adopt the following resolution approving the Community Development Block Grant application.

Be it resolved that pursuant to two public hearings, the County of Pulaski wishes to apply for \$100,000 of Local Innovation program Virginia Community Development Block Grant funds for the implementation of an Individual Development Account Program administered by the New Enterprises Fund, Inc.

Be it further resolved that Peter M. Huber, Pulaski County Administrator, is hereby authorized and directed to sign such documents as may be required of the County for submittal of this Virginia Community Development Block Grant.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale,
Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

j. Assessment of Prorated Taxes on Substantially Completed Buildings and Manufactured Homes

The County Attorney deferred explanation of the proposed ordinance to Commissioner of Revenue Sayers. Mr. Sayers explained the change would allow taxation of property, if property is substantially completed in the middle of the year to the point of occupancy, with the ordinance to be effective January 1, 2002.

The Chairman opened the public hearing. There were no citizen comments. The Chairman closed the public hearing.

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board adopt the following ordinance:

Substantially Completed Buildings

BE IT ORDAINED, pursuant to Section 58.1-3292 of the Code of Virginia, 1950, as amended, all new buildings in Pulaski County, Virginia, substantially completed, or fit for use and occupancy prior to November 1 of the year of completion, shall be assessed when so completed or fit for use and occupancy, and the Commissioner of Revenue of Pulaski County, Virginia, shall enter in the books the fair market value of such building. No partial assessment as provided herein

shall become effective until information as to the date and amount of such assessment is recorded in the office of the Commissioner of Revenue of Pulaski County, Virginia, on real property and made available for public inspection. The total tax on any such new building for that year shall be the sum of (i) the tax upon the assessment of the completed building, computed according to the ratio which the portion of the year such building is substantially completed or fit for use and occupancy bears to the entire year, and (ii) the tax upon the assessment of such new building as it existed on January 1 of that assessment year, computed according to the ratio which the portion of the year such building was not substantially complete or fit for use and occupancy bears to the entire year. With respect to any assessment made under this Ordinance after September 1 of any year, the penalty for nonpayment by December 5 shall be extended to February 5 of the succeeding year. This ordinance shall be effective January 1, 2001.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale,
Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

4. Highway Matters:

a. Follow-up from Previous Board meeting

The Board met with Resident Engineer Dan Brugh regarding the following highway matters:

1. Rural Addition Status Report

The County Administrator presented an update on rural additions. Supervisor Conner requested an explanation on why it will take 90 days to obtain appropriate signatures for processing Black Hollow Heights Lane as a rural addition. Staff was requested to provide an explanation by the Board's August 27 meeting. The resident engineer advised VDOT would check on the status of Deerwood Drive.

It was moved by Mr. Hale, seconded by Mr. Cook and carried, that the Board appoint as road viewers, county staff including Melody Taylor, Stan Crigger, and Peter Huber, along with the Board member representing the district in which the road is located.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale,
Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

Chairman Sheffey suggested the county consider hiring an individual to oversee bringing roads to rural additions status. The resident engineer explained the procedure followed by VDOT for processing rural additions and offered to discuss options with county staff and provide a report at the next meeting.

2. Informal Speed Study on Parrott River Road, Route 600, Between Railroad Trestles

The Board requested VDOT perform a formal speed study and provide an update at the Board's August 27 meeting.

3. Request for Speed Limit Study & Signs on Valley Road

The Board requested VDOT perform a formal speed study and provide an update at the Board's August 27 meeting.

4. Request for Speed Study on Rt. 633, Powell Avenue

VDOT reported it had reviewed the road and advised if an informal speed study is conducted, VDOT expected the speed limit could be posted at 25 mph. County staff was requested to check with the petitioner and advise it is very likely the speed limit could be posted at 25 mph, if a speed study is performed, and ask the petitioner to confirm with area residents that this action is desired. The Board requested an update be provided at the Board's August 27 meeting.

5. Improvements to Drop Off of Shoulder Entering Cougar Trail Road from Rt. 11 and Leaving Cougar Trail Road onto Rt. 11

VDOT reported the improvements had been completed. Supervisor Conner advised that since the improvements by VDOT, the problem has reoccurred. VDOT advised it would review the area again.

6. Paving Improvements on Old Rt. 100, from Dublin Interchange to Rt. 99, Including Bridge

VDOT advised the advertisement for paving would most likely not occur until 2002.

Supervisor Cook advised that the recent pavement work done on Rt. 99, back to the Methodist Church in Draper, had deteriorated. VDOT advised it would review the road and report back at the August 27 Board meeting.

7. Request for Closure of a Section of Snyder Lane

VDOT advised it did not anticipate any problems with the requested closure. The Board requested county staff arrange for a community meeting at the Jordan's Chapel United Methodist Church to confirm there were no objections from the neighbors in the vicinity of Snyder Lane. Staff was requested to provide an update at the August 27 meeting if available.

b. Request for Speed Limit Study, Rt. 731, Cloyd Mountain Road

VDOT advised the road is currently unposted and did not recommend posting due to traffic being mostly trucks in route to the landfill. Staff was requested to advise the resident making the request of the Board's decision to decline the request, pending any further reasonable explanation to reconsider its decision.

c. Request for Speed Limit posting, Rt. 755, Depot Road

VDOT advised a 25 mph posting for the first portion of the road would be the likely result from a formal speed study.

It was moved by Mr. Hale, seconded by Mr. Cook and carried, that VDOT be requested to conduct a formal speed study on Rt. 755, Depot Road.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none

Not present: Dr. Fariss.

d. Guardrail Replacement – Draper Valley Road

The Board was presented with a request from Mr. Mark Bower for guardrail replacement on Draper Valley Road. VDOT requested clarification on the exact location of the guardrail installation. Staff was requested to contact Mr. Bower and report back at the August Board meeting.

e. Request for Formal Speed Study from Rt. 114 to Rt. 600, Belspring Road

It was reported this matter had previously been addressed under item 4a2 above.

f. Report on Legislative Changes Related to the State Secondary System

VDOT reported changes effective this year, including counties being allowed to assume any and all maintenance responsibility for the secondary system. VDOT further discussed the revenue sharing program, which requires an investment by the county, with the amount to be matched by VDOT and with a \$500,000 maximum allotted per county.

Supervisor Sheffey requested county staff provide a recommendation on the advantages and disadvantages of Pulaski County assuming road maintenance responsibilities.

VDOT reported mowing, lighting and signage throughout the county may qualify for revenue sharing funding and will confirm and report back to the Board at its August 27 meeting.

g. Addition to Six Year Plan Waiting List

In the absence of Supervisor Fariss, the Board deferred action on this matter to its August 27 Board meeting.

The Board received a request from Ms. Marlene McMillan of 6701 Camelot Road, Radford to add Camelot Road to the six year plan waiting list. However, it was noted the road is currently on the rural additions list.

h. Board of Supervisors Concerns

Supervisor Conner requested the portion of Hatcher Road, just past Moses Drives, be patched. VDOT advised it would review the road for improvements.

Supervisor Hale inquired regarding the status of improvements to Cox Hollow Road. VDOT agreed to provide an update at the Board's August 27 meeting; however, VDOT reported it expects to have the road completed by the end of 2001.

Supervisor Cook presented a petition requesting a speed study for Peak Creek Road, off of Wilderness Road, to Hurston Road. VDOT was requested to conduct an informal speed study and report its findings to the Board at its August 27 meeting.

Supervisor Cook inquired regarding Rt. 652, Grahams Road, off of Rt. 100 south towards Hillsville, and advised of an unpaved section which washed out during a recent five inch road. VDOT reported it had repaired a portion of the road, but is uncertain if it will remain as such. VDOT advised it will review the road and report back to the Board at its August 27 meeting.

Supervisor Cook inquired regarding Stilwell Road improvements. VDOT advised it will review the road and report back to the Board at its August 27 meeting.

Supervisor Cook expressed concerns regarding the traffic pattern and confusion over the signage for exits on I-81, south.

Supervisor Sheffey inquired as to the Memorial Bridge and Parrott River Bridge improvements being on schedule. VDOT advised the bridge improvements are on schedule.

i. Citizen Concerns

No citizen comments were heard.

The resident engineer presented to the Board a plaque of the bridge off of Parrott River Bridge. Supervisor Sheffey suggested county staff place the plaque amongst the courthouse exhibits.

5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly trial balance report and offered to answer any questions the Board of Supervisors may have.

6. Citizens' Comments

Mr. Jeff Martin, Captain of the Pulaski County Life Saving Crew, expressed gratitude to the Board for the Randolph Park. Mr. Martin also shared concerns regarding recent events surrounding the Pulaski County Life Saving Crew, specifically at the Fairlawn site, which was the site of recent vandalism and expressed concern about the current services being offered. Mr. Martin further requested Interim Director John Casey be terminated due to his involvement in defacing of the building.

Ms. Brenda Blackburn advised the road matter regarding Rt. 655 was currently in court and the judge is expected to make a decision soon. Ms. Blackburn further posed the following questions to the Board: why is the Boy Scouts facility considered residential and not commercial and how can they claim status of private and non profit. She further reported the vacant building was too close to the highway and that it was her understanding residents must be 35 feet from the property line where a commercial building must be 45 feet from the property line. County staff was requested to investigate her concerns, specifically regarding setbacks, and provide an update at the August 27 meeting.

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable

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

Supervisor Cook inquired as to whether all funds had been expended for the ISTE grant for the Draper Mountain Overlook. Staff was requested to check the status with VDOT and provide an update to the Board, as well as a timeframe for expending any available funds.

The County Administrator provided an explanation on the delay in the renovations to the front of the County Administration Building.

b. Appointments:

The Board deferred the following appointments until the Closed Meeting session of the meeting: New River Valley Planning District Commission, Workforce Investment Board, Library Board, and the New River Community Action.

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7105-1003 – Parks Part Time Salaries	1375.00
8140-3004 – Zoning Repairs & Maintenance	524.00
9310-5825 – Revenue Refunds Taxes	100.00
9310-5823 – Revenue Refunds Building Permits	250.00
9310-5827 – Revenue Refunds - Other	86,817.00
9310-5835 – Revenue Refunds Zoning Special Use Permits	25.00
9310-5838 – Revenue Refunds Returned Checks	280.00
Total	\$188,236.00

Internal Service Fund #1:

Revenues:

1651-01 – Telephone Charges County Departments	<u>\$2,072.00</u>
Total	\$2,072.00

Expenditures:

1225-5205 – Communications Internet Charges	1,572.00
1225-5201 – Communications Central Postage	<u>500.00</u>
Total	\$2,072.00

Comprehensive Services Act #1:

Revenues:

1611-04 – Public Assistance Refunds/Recoveries	\$90,976.00
1611-09 – Giles County Comprehensive Services	4,508.00
2401-29 – State Comprehensive Services Act	<u>17,149.00</u>
Total	\$112,633.00

Expenditures:

9140-5827 – CSA Giles County	<u>\$112,633.00</u>
Total	\$112,633.00

General Fund #1:

2404-48 – DCJS Grant Byrne	\$26,305.00
2404-29 – Victims Assistance Grant Comm. Services	23,062.00
2404-75 – DCJS Grant Incident Based System Sheriff's Office	37,500.00
1899-60 – Office on Youth Donations	780.11
2404-63 – Pretrial Services DJCS Grant Carry Over	<u>24,011.00</u>
Total	\$111,658.11

Expenditures:

2201-7137 – Comm. Attorney Seized Asset Carry Over	\$2,339.52
3102-7137 – Sheriff's Office Seized Asset Carry Over	1,414.00
3102-7215 – Incident Based System Grant	50,000.00
3307-300908 – Comm. Oriented Justice Byre Grant	26,305.00
3308-5606 – Pretrial Services DJCS Grant Carry Over	24,011.00
3102-5427 – Sheriff's Office DARE Supplies Carry Over	609.00
2202-3009 – Victims Assistance	23,062.00

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5322-5412 – Office on Youth Supplies	780.11
8305-5501 – Extension Office Mileage Carry Over	<u>3,100.00</u>
Total	\$131,620.63

REMSI Fund #1:

Revenues:

1604-03 – Patient Transportation	<u>\$16,350.00</u>
Total	\$16,350.00

Expenditures:

3230-3009 – REMSI Administration Purchase of Govt. Services	\$10,111.00
3232-2028 – REMSI Recruitment & Retainment Hepatitis Vaccine	450.00
3232-5410 – REMSI Recruitment & Retainment Uniforms	24.00
3232-5504 – REMSI Recruitment & Retainment Travel	232.00
3232-6012 – REMSI Recruitment & Retainment Books & Subscription	778.00
3232-6013 – REMSI Recruitment & Retainment Educational Supplies	6.00
3232-6014 – REMSI Recruitment & Retainment Other Supplies	211.00
9310-5838 – REMSI Revenue Refunds Returned Checks	<u>4,538.00</u>
Total	\$16,350.00

VPA #1:

Revenues:

0033051020000 – General Fund Transfer	\$45,000.00
0033051020000 – General Fund Transfer	37,000.00
00330330240 – Quality Initiative Program	<u>-45,000.00</u>
Total	\$37,000.00

Expenditures:

0035053407001 – Machinery & Equipment	<u>\$37,000.00</u>
Total	\$37,000.00

VPA Transfers #1:

Expenditures:

0035317501001 – Salaries & Wages	\$3,040.00
0035317502001 – FICA	300.00
0035317502002 – VRS	150.00
0035317502006 – Group Insurance	10.00
0035317505203 – Telecommunications	500.00
0035318501001 – Salaries	-1,000.00
0035318508002 – Lease	-3,000.00
0035349505768 – FSET – Training	300.00
0035343502011 – Workmen’s Compensation	-150.00

d. Ratification:

1. Change Orders – There were no change orders at this time.
2. Agreements, Grants, & Other – Grant Acceptance – DCJS - \$598,583 – Community Corrections

The Board approved acceptance of the grant as outlined in documents filed with the records of this meeting.

e. Scheduling of Public Hearing – Amendment to Animal Control Ordinance

The Board approved scheduling a public hearing for its August 27 Board meeting to consider amendment to the Animal Control Ordinance amending the definition of a dog kennel.

f. Agreement for Project Based Financing by Virginia's First Regional Industrial Development Authority

The Board approved the agreement as presented, subject to review by the County Attorney.

g. Workforce Investment Act (WIA) Grant Agreement Between the Commonwealth of Virginia and Local Workforce Investment Area II

The Board approved the agreement, which allows for obtaining Program Year 2001 Workforce Investment Act funds from the Virginia Employment Commission.

h. Personnel Changes

The Board reviewed recent personnel changes as prepared by Assistant County Administrator Nancy Burchett.

i. Acceptance of Office on Youth Funding

The Board received official notification that the Delinquency Prevention and Youth Development Act Grant will be renewed for 2001-2002, dependent on the funds being appropriated by the General Assembly. Acceptance of the funding was approved.

j. Pulaski Rangers Reserved Seating Program

The Board previously took action to remove this item from the agenda for consideration of action.

9. Citizen Comments

There were no citizen comments.

10. Other Matters from Supervisors

Supervisor Conner expressed concern regarding the recent activities of the Regional Emergency Medical Services, Inc. and the Pulaski County Life Saving Crew. Supervisor Sheffey advised this matter was being discussed in the Closed Meeting Session of the Board meeting.

12. Closed Meeting – 2.1-344.A.1.3.5.7

It was moved by Mr. Cook, seconded by Mr. Hale and carried, that the Board enter the Closed Meeting session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.1-344(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- ◆ County One-Stop Service Center
- ◆ Selection of School Sites
- ◆ Library Site

Personnel – Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- ◆ Administrator's Evaluation
- ◆ REMSI Executive Director
- ◆ Office on Youth Staffing
- ◆ Appointments
- ◆ Administration of Regional Criminal Justice Services Grants

Prospective Industry – Pursuant to Virginia Code Section 2.1-344(A)5 discussion concerning a prospective business or industry, or the expansion of an existing business and industry, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

- ◆ Project Royal
- ◆ Existing Industry Support

Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- ◆ Fairview Home
- ◆ Community Justice Services Board
- ◆ Conditional Rezoning Procedures

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

Return to Regular Session

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

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

Certification of Conformance with Virginia Freedom of Information Act

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

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

*Personnel (con't.)

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board approve staff recommendation of a \$6,215 salary increase for the Office on Youth Director. In addition, the pay range for this position would be increased from \$34,608 to \$43,260. Further, the Board approved hiring an Assistant Office on Youth Director with a pay range of \$25,600 to \$32,000, contingent on continued grant funding, with the remaining \$43,169 in Office on Youth funding to be used for direct program expenses.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

13. Adjournment

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board of Supervisors adjourn to reconvene at 5:00 p.m. on Thursday, August 2 at Gatewood Park for an Intergovernmental Picnic. The next regular meeting of the Board of Supervisors is scheduled for Monday, August 27, 2001 at the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski, Virginia.

Voting yes: Mr. Cook, Mr. Sheffey, Mr. Hale, Mr. Conner.

Voting no: none.

Not present: Dr. Fariss.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator