

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 17, 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; Bruce L. Fariss, Vice-Chairman; Charles E. Cook; William E. "Eddie" Hale; and Frank R. Conner. Staff members present included County Administrator, Peter M. Huber; Nancy M. Burchett, Assistant County Administrator; and Community Development Director David Tickner. Also present was Thomas J. McCarthy, Jr., County Attorney.

1. Invocation

The invocation was given by Reverend Jean Brown of the New Dublin Presbyterian Church.

2. Additions to Agenda

The Board reviewed the additions to the agenda and approved adding Industrial Prospect Visit to the Closed Meeting session. Further, the Board approved moving Item L under Items of Consent up on the agenda to prior to the public hearings.

2a. Resolution of Appreciation – Dave Hillman, U. S. Customs Officer

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board of Supervisors adopted the following Resolution of Appreciation for Dave Hillman and presented him a copy of the resolution at this meeting:

Resolution of Appreciation
Dave Hillman

WHEREAS, Dave Hillman served as the U. S. Customs officer for the New River Valley Airport from September 1999 to December 2001; and

WHEREAS, Dave Hillman being the first Customs officer to have served at this location, set up his own office and worked with the New River Valley Economic Development Alliance and the New River Valley Airport Commission to establish and equip the Customs office; and

WHEREAS, Dave Hillman exhibited significant flexibility and personal involvement in the establishment of the Customs office when construction problems resulted in delayed opening of the facility, use of temporary space, leaking roofs, window problems and other unnamed complications; and

WHEREAS, Dave Hillman also had the challenge of initiating and educating College Presidents, elected officials and local government bureaucrats, and innocent citizens regarding various U.S. Customs regulations including the wearing of a side arm; and

WHEREAS, Dave Hillman's attitude of service single-handedly resulted in the availability of Custom's services 24 hours per day, seven days per week; and

WHEREAS, this attitude of service resulted in the New River Valley Custom's Office becoming one of the most successful Customs Office start-ups in recent U.S. history; and

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors expresses their sincere gratitude to Dave Hillman for his service to the citizens, businesses and industries of Pulaski County and of Virginia's New River Valley; and

BE IT FURTHER RESOLVED, that the Board of Supervisors commends Dave Hillman for his exemplary attitude, his sense of humor and his appreciation for Pulaski County; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 17th day of December 2001, in permanent testimony of its appreciation to the service of Dave Hillman.

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

Voting no: none.

3. Public Hearings:

- a. A rezoning request by **Donald Lee Meredith** from Residential (R1) to Commercial (CM1) on property identified by tax map no. 038-007-0000-0003, 4, located at 7191 Lee Hwy., Cloyd District.

The Community Development Director explained the above request and noted the Planning Commission recommended approval of the rezoning request with the following proffers to clean up the property and meet any VDOT requirements:

1. Arrange and sort material according to type (wood, metal, block, etc). Place items in neat and orderly fashion to reduce clutter.
2. Paint oil tanks and remaining vehicles.
3. Clean and repaint garage, offices and outbuildings.
4. Move some vehicles and scrap iron to Gem City.
5. Take litter to the landfill.
6. Take additional junk cars to be disposed of.

Above activities to be completed within 120 days from the date of approval by the Board of Supervisors.

The Community Development Director also noted that the Virginia Department of Transportation had confirmed that a new entrance is not required for the existing business at this location.

Chairman Sheffey opened the public hearing on this matter.

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

It was moved by Mr. Conner, seconded by Dr. Fariss and carried, to approve the above rezoning request per the Planning Commission recommendation with above listed proffers.

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

Voting no: none.

Dr. Fariss suggested staff take photographs of the property at the present time and then again at the end of the 120 days.

- b. A rezoning request by **C. R. Dalton** from Residential (R1) to residential (R3) or Agricultural (A1) to allow a two-family detached dwelling on property identified by tax map no. 076-001-0000-077A, (.6887 acres), located at 4696 Shelburne Rd., Ingles District.

Staff advised the above noted rezoning request had not been properly advertised and would have to be tabled until the January 28, 2002 board meeting.

The Board requested staff to develop prior to the January board meeting a timeline of actions regarding this request for the Board to review.

- c. A request for a Special Use Permit by **Verl Ann O. Murphy** to exceed the ¼ cove width requirement for a dock, on property identified as tax parcel 092-001-0000-0010, (218.0000 acres), zoned Agricultural (A-1), located at 2900 Miller Owens Rd., Draper District.

Community Development Director explained the above request for a Special Use Permit and reported the Planning Commission recommended approval of the request with the condition that if the property is ever sub-divided, then the dock will have to be brought into conformance at that time.

Chairman Sheffey opened the public hearing on this matter.

Mr. John Murphy, spouse of Verl Ann O. Murphy, advised he had no idea the dock property would be considered a cove. Further, when the dock was built he and his wife were in Alaska.

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

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board approve the above Special Use Permit per the Planning Commission recommendation with the condition that if the property is ever subdivided, then the dock will be brought into conformance at that time.

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

Voting no: none.

- d. Transportation Enhancement Act (TEA21) for funding of pedestrian walkways, streetlights, trees and signage along and in the vicinity of Route 100.

The County Administrator explained the above public hearing purpose and noted a 20% match of local funds is required should TEA21 funding be approved for the above project.

Chairman Sheffey opened the public hearing on this matter.

Ms. Beth Lancaster inquired as to what type of lighting would be used for the street lighting. The County Administrator advised the streetlighting would be of aluminum type standards with low light pollution bulbs.

The Board requested staff to provide them with a copy of the recent water and sewer study done for this area via the weekly update and to provide clarification as to whether water and/or sewer lines can be installed in the median strip of a road.

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

On the motion of Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors approved submitting an application for Transportation Enhancement Act funding to include installation of streetlights along Route 100 from Travelers Way to New River Community College, installation of welcome signs also along Route 100 and construction of a pedestrian walkway from the Visitor's Center to Newbern.

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

Voting no: none.

4. Highway Matters:

The Board met with Assistant Resident Engineer Dale Stancill regarding the following highway matters:

a. Follow-up from Previous Board meeting:

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

Mr. Stancill noted the above study was currently under review by VDOT.

2. Request for Speed Limit Posting, Rt. 755, Depot Road

Mr. Stancill noted the above study was currently under review by VDOT.

3. Request for Speed Limit Sign (25 mph) on Winding Way Drive

Mr. Stancill noted the above request for a speed limit sign was currently under review by VDOT.

4. Speed Study – Mason Vaughan Blvd.

Mr. Stancill reported the above speed study was currently under review by VDOT.

5. Informal Speed Study – Alexander Drive

Mr. Stancill advised the informal speed study for Alexander Drive also was currently under review by VDOT.

6. Traveler's Way – Possible Rural Addition

Mr. Stancill reported the above noted road did not qualify as a rural addition, but may qualify for industrial access funds.

The Board requested staff to confirm the property ownership on Traveler's Way and report at the January board meeting of findings.

b. Rural Addition Status Report

Staff reviewed in detail the status of the following rural additions: Allisonia Road (Lindsey Lane), Black Hollow Heights Lane, Deerwood Drive, Rich Hill Lane, Sheila Drive, Extension of Collier Street and Beach Drive.

The Board requested staff to set up meeting with residents regarding the Deerwood Drive road improvements and authorized staff to place Rolling Hills and Sheila Drive on an inactive listing documenting the reasoning for disqualifying each as a rural addition project.

c. Board of Supervisors Concerns

Supervisor Hale requested clarification as to why a 15 miles per hour speed limit is not permissible on roads.

d. Citizen Concerns

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

5. Treasurer's Report

The Board accepted the Treasurer's Report as presented.

6. Citizens' Comments

Mr. Carl Chandler addressed the Board of Supervisors regarding the Southwest Virginia Governor's School facilities needs and encouraged the Board to take an active role in the Governor's School activities and to consider funding of facility improvements in the future.

7. Reports from the County Administrator & Staff"

a. Key Activity Timetable

The Board reviewed in detail the Key Activity Timetable as presented by county staff.

The Board requested staff to prepare a follow-up letter to federal representatives regarding the need for a new post office for the Fairlawn area of the county.

b. Appointments:

1. Library Board
2. PEP Steering Committee
3. Recreation Commission

The above appointments were deferred until the Closed Meeting session of the meeting.

8. Items of Consent:

It was moved by Mr. Conner, seconded by Mr. Cook and carried, that the Board approve the following items of consent with the exception of items h, i, k, and l which were pulled from the Items of Consent and voted on as separate items, as noted below:

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

a. Minutes of November 26, 2001

The Board approved the minutes of November 26, 2001 with the addition of the Six-Year Plan Adoption Resolution.

b. Accounts Payable

The Board approved the accounts payable listing as presented on checks numbered 34842 through 35147.

c. Appropriations & Transfers:

1. Interoffice Transfer #6 - \$37,588.22

The Board approved interoffice transfer #6 in the amount of \$37,588.22.

2. Appropriations & Transfers:

The Board approved the following additional appropriations as presented by staff:

a. General Fund #9 - \$10,708.00

Revenues:

1899-28 Donations Sheriffs Office	\$	250.00
1899-44 Donations DARE		<u>1,750.00</u>
Total	\$	2,000.00
2202-5102 Victims Assistance Prog.	\$	800.00
3102-5427 Sheriff DARE Supplies		1,750.00
3102-2012 Sheriff Education & Training		250.00
8142-7002 Comm. Dev. Furniture		3,000.00
9104-5804 Erroneous Assessments		3,500.00
9310-5823 Revenue Refunds		300.00
9310-582301 Revenue Refunds		150.00
9310-5835 Revenue Refunds		100.00
9310-5837 Revenue Refunds		<u>858.00</u>
Total	\$	10,708.00

b. Capital Improvement Fund #4 - \$14,497.00

Revenues:

5102-00 Transfer from Gen. Fund	\$	<u>14,497.00</u>
Total	\$	14,497.00

Expenditures:

1201-7005 Co. Admin. Vehicle	\$	10,897.00
2104-5407 J & D Ct. Renovations		<u>3,600.00</u>
Total	\$	14,497.00

d. Ratification:

1. Change Orders – There were no change orders at this time.

2. Agreements, Grants, & Other:

◆ Building Usage Application – DPI

The Board ratified administrative approval with Downtown Pulaski, Inc. for the use of the courthouse lawn on December 6, 2001.

e. Contract Approvals:

1. Chamber of Commerce Visitor's Center Agreement

The Board approved the Agreement with the Chamber of Commerce pertaining to the Visitor's Center. A copy of the agreement shall be filed with the records of this meeting.

2. Cleaning Services Contract

The Board approved staff recommendation to employ 8 part-time county employees to provide custodial and cleaning services for the county owned buildings.

f. Personnel Changes

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

g. Employee Request for Leave Without Pay

The Board approved a request for a leave of absence without pay from Robert McKnight, a mechanic with the County Garage, for a period not to exceed six months per staff recommendation.

h. Drug Testing Policy

On the motion of Dr. Fariss, seconded by Mr. Cook and carried, the Board of Supervisors tabled the above for revisions to include certified laboratory testing and specific language to be added on negative test results.

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

Voting no: none.

i. Randolph Park Signage Donation

On the motion of Mr. Cook, seconded by Mr. Conner and carried, the Board accepted a donation of Randolph Park signage on property owned by Bruce L. Fariss.

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

Voting no: none.

Abstaining: Dr. Fariss.

j. Environmental Management System

The Board accepted staff recommendation to decline participation in a proposal received from the Virginia Tech Center for Organizational and Technological Advancement for the development of a detailed environmental management system at a cost of \$14,763. However, the Board agreed to initiate discussions with other jurisdictions regarding a possible regional approach on this matter.

k. NRCC Memorandum of Agreement

On the motion of Mr. Cook, seconded by Dr. Fariss and carried, the Board approved a memorandum of agreement between New River Community College and the county for future training programs.

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

I. Resolution of Appreciation – Dave Hillman, U. S. Customs Officer

Approved previously under Item 2a. above.

9. Citizen Comments

No citizen comments were heard at this time.

10. Other Matters from Supervisors

No other matters from the Supervisors were heard at this time.

11. Closed Meeting –2.2-3711.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 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Acquisition of Claremont School Replacement

Personnel – Pursuant to Virginia Code Section 2.2-3711(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

- Recreation Merger
- Appointments – Library Board, PEP Steering Committee and Recreation Commission
- Town of Pulaski Dispatching

Prospective Industry – Pursuant to Virginia Code Section 2.2-3711(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.

- Transportation Project
- Prospect Visit

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- Intergovernmental Agreements
- Center for Excellence

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the Board of Supervisors adopts 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:

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed 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 closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

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

Voting no: none.

*Personnel

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve the following appointments:

1. Library Board

The Board appointed Ms. Marva Hickman to serve on the Library Board for a term ending December 31, 2005.

2. PEP Steering Committee

The Board appointed Steve Crawford and Betsy Mabry to the PEP Steering Committee with terms both ending June 30, 2004.

3. Recreation Commission

The Board requested staff to ask Carl Lindstrom and Lee Chitwood to serve on the Recreation Commission.

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

Voting no: none.

12. Adjournment

It was moved by Mr. Cook, seconded by Mr. Conner and carried, that the Board of Supervisors adjourn to its next regular meeting to be held on Monday, January 28, 2002 at 7:00 p.m. at the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski.

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator