

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 26, 2002 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; Assistant County Administrator, Nancy M. Burchett; David Tickner, Community Development Director; and Gena T. Hanks, Executive Secretary.

A moment of silence was observed in remembrance of Ms. Evelyn Alexander who passed away.

1. Invocation

The invocation was delivered by Reverend Terry Woodard of the Fairlawn Presbyterian Church.

2. Additions to Agenda

Staff noted plans by School Superintendent Don Stowers to make a presentation regarding school construction financing.

2a. Presentation of Resolution – Madison E. Marye

On a motion by Mr. Conner, seconded by Dr. Fariss and carried, the Board adopted the following resolution:

WHEREAS, Madison E. Marye has served the citizens of Pulaski County as State Senator for approximately twenty-nine years; and

WHEREAS, Madison E. Marye provided an example of Excellence through his effective leadership and selfless dedication of his many professional and personal talents; and

WHEREAS, during his service, everyone who met Madison E. Marye benefited from his unique sense of humor, compassion and his willingness to strive for causes he believes in; and

WHEREAS, the service provided by Madison E. Marye benefited not only present and past citizens of Pulaski County, but will enhance the quality of life of its future citizens.

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors takes Pride in commending and recognizing the dedicated service of Madison E. Marye to the Board of Supervisors and the citizens of Pulaski County; and

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

BE IT FURTHER RESOLVED, that this Board of Supervisors does hereby extend to Madison E. Marye its best wishes for health and happiness in future years; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors in permanent testimony of its appreciation of the service provided by Madison E. Marye.

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

Voting no: none.

3. Public Hearings

- a. A rezoning request by **John M. Turner** from Conservation (C1) to Residential (R2) on property identified by tax map no. 039-018-0000-0005, (4.7923 acres), located on the south side of Dudley Ferry Rd., (Rt. 622), approximately 0.25 mile south of the Brooklyn Rd. (Rt. 621) intersection, Cloyd District.

Mr. Tickner explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing on the matter.

Mr. John Rife, Attorney representing the Pepper's Ferry Regional Waste Water Treatment Authority, addressed questions and concerns by the supervisors. He further indicated it was his belief that the VDOT right-of-way location found on a plat prepared by Mathews & Henegar is in error, indicating that the Authority constructed the one-lane road in 1985 that currently provides access to the pump station.

Mr. John Turner expressed concern regarding Pepper's Ferry claim that the plat prepared by Mathews & Henegar is incorrect.

Mr. Ranny Akers expressed concern regarding any potential odor resulting from the future detention facility the Authority is planning to construct.

There being no further comments, the public hearing was closed.

Supervisors posed questions to county staff regarding the legality of the right-of-way.

Supervisor Cook abstained from voting due to his service as a board member on the Pepper's Ferry Regional Waste Water Treatment Authority Board of Directors.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board table action on this matter for thirty days to allow the two surveyors to meet and seek correct information as it relates to the right-of-way, with the surveyors to be requested to provide information back to the Board no later than September 18 to allow for placement of the item on the September 23 Board agenda.

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

Voting no: none.

Abstaining: Mr. Cook.

- b. A rezoning request from Residential (R1) to Agricultural (A1) by the following individuals, referenced by tax map number and acreage for properties located on the east and west sides of Alum Spring Rd. (Rt. 636) beginning at a point 0.4 mile north of Thornspring Church Rd. (Rt. 639) to the intersection of Buena Vista Rd. (Rt. 640), Robinson District: **Brown, Robert W.** 054-002-0000-03A, 4 421.47 acres; **Gregory, James Edward & Betty G.**, 054-002-0000-011A, 2, 13, 24.465 acres; **Gregory, Timothy Edward & Kimberley E.** 054-001-0000-0003 12.146 acres; **Gregory, Timothy Edward & Kimberley E.** 054-002-0000-0008 9;15.800 acres; **Gynn, Delmer & Emily** 054-002-0000-0005 **6,7,7A 13.000 acres**; **Hall, Richard W. & Robin K.** 054-002-0000-0010 11 9.970 acres; **Spangler, John W. & Sheila K.** 054-002-0000-0014 10.451 acres; **White, James S. & Linda D.** 054-001-0000-0006 7, 7A 16.601 acres; **Williams, Martin D. & Shirley R.** 054-002-0000-011B Unknown; **Williams, Martin D. & Shirley R.**;054-002-0000-011E; .6950 acres; **Williams, Shirley R. & Martin D.**;054-002-0000-010D 11F;2.030 acres

Mr. Tickner explained the request and advised the Planning Commission recommended approval.

Chairman Sheffey opened the public hearing on the matter.

Mr. John Spangler spoke in favor of the request.

Mr. Robert Brown indicated he was not aware of the current Residential zoning designation for his property.

Ms. Kathy Dunn expressed concern over the potential new zoning allowing for "roosters". Staff explained that the voluntary proffers submitted by the owners included a prohibition of chickens and roosters.

There being no further comments, the public hearing was closed.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

On a motion by Mr. Conner, seconded by Mr. Cook and carried, the Board approved the rezoning request from Agricultural (A1) to Residential (R1), as recommended by the Planning Commission, unconditionally for the Brown properties, and with the voluntary proffers offered by the property owners for the remaining properties.

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

Voting no: none.

- c. A request by **Betty R. Kirkner** for a Special Use Permit (SUP) to allow a second dwelling on property identified as tax map no. 064-03A-000C-0052, zoned Residential (R1), (3.7000 acres), located at 4568 Miller Lane (Rt. 644), Massie District

Mr. Tickner explained the request and advised the Planning Commission recommended approval. He further advised there was no opposition to the request at the Planning Commission meeting.

Chairman Sheffey opened the public hearing. There being no comments, the public hearing was closed.

On a motion by Mr. Cook, seconded by Dr. Fariss and carried, the Board approved the request for a Special Use Permit, as recommended by the Planning Commission.

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

Voting no: none.

- d. A rezoning request by **Eric W. & Angela A. Gregory** from Residential (R1) to Agricultural (A1) on property identified by tax map no. 066-001-0000-003A, 3B, (7.7500 acres), located at 5761 Lyons Rd. (Rt. 662), Ingles District.

Mr. Tickner explained the request and advised the Planning Commission recommended approval. He further advised there was no opposition to the request at the Planning Commission meeting.

Chairman Sheffey opened the public hearing. There being no comments, the public hearing was closed.

On a motion by Mr. Cook, seconded by Mr. Hale and carried, the Board approved the rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

- e. A request by **Kenneth S. Bowling ET AL** for a Special Use Permit (SUP) to allow sale of new and/or used vehicles on property identified as tax map no. 066-018-0000-0001, 2, zoned Commercial (CM1), (3.2940 acres), located at 5077 State Park Rd., (Rt. 660), Ingles District.

Mr. Tickner explained the request and advised the Planning Commission recommended approval of the request. He further advised there was no opposition to the request at the Planning Commission meeting.

Chairman Sheffey opened the public hearing. There being no comments, the public hearing was closed.

Questions were posed by Board members regarding property cleanup. Mr. Jack Bowling advised cleanup of the property will be conducted, regardless of whether or not the property is sold.

On a motion by Mr. Conner, seconded by Dr. Fariss and carried, the Board approved the request for a Special Use Permit, as recommended by the Planning Commission.

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

- f. A request by **Thomas J. Goad** for a Special Use Permit (SUP) to allow a second dwelling on property identified as tax map no. 018-007-0000-0002, zoned Residential (R1), (.5790 acres), located at 5544 Highland Rd. (Rt. 627), Clloyd District.

Mr. Tickner explained the request and advised the Planning Commission recommends approval for the addition, subject to the condition that the kitchen will be removed when no longer needed.

Chairman Sheffey opened the public hearing on this matter. Mr. Thomas Goad explained that the request was to allow for around the clock care of his mother-in-law.

There being no further comments, the public hearing was closed.

On a motion by Dr. Fariss, seconded by Mr. Cook and carried, the Board approved the Special Use Permit, subject to removal of the kitchen once it is no longer in use.

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

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

County staff was requested to review zoning regulations defining apartments designated for care for the elderly.

g. Courthouse Security Fee Ordinance and setting Fee of Five Dollars (\$5.00)

Mr. Huber explained the ordinance had been adopted on an emergency basis at the Board's July 22 meeting.

Chairman Sheffey opened the public hearing. There being no comments, the public hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board adopted the following Courthouse Security Fee Ordinance:

Pursuant to Section 53.1-120 of the Code of Virginia, 1950, as amended, IT IS HEREBY ORDAINED that in the County of Pulaski, Virginia, on and after July 1, 2002, a fee of five dollars is hereby and shall be assessed as part of the cost in each criminal or traffic case in the Pulaski County Juvenile and Domestic Relations District Court, the Pulaski County General district Court and the Pulaski County Circuit Court, in which the defendant is convicted of a violation of any statute or ordinance. The Clerk of the Court in which the case is heard shall collect and remit the fees to the Treasurer of this county. The Treasurer shall hold such funds subject to appropriation by the Pulaski County Board of Supervisors to the Sheriff's office of this county for the funding of courthouse security, equipment, personnel & related expenditures.

Adopted this 26th day of August, 2002.

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

Voting no: none.

h. Adoption of a Jail Processing Fee Ordinance not to exceed twenty-five dollars (\$25.00) on any individual admitted to the regional jail following conviction

Mr. Huber explained the ordinance had been adopted on an emergency basis at the Board's July 22 meeting.

Chairman Sheffey opened the public hearing.

Supervisor Fariss questioned what agency serves as the collection agent for the money. Staff advised the courts collect the money and the money is then turned back into the General Fund for specific purposes, as appropriate.

There being no further comments, the public hearing was closed.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

On a motion by Mr. Cook, seconded by Mr. Hale and carried, the Board adopted the following ordinance:

Pursuant to Section 15.2-1613.1 of the Code of Virginia, 1950, as amended, IT IS HEREBY ORDAINED, that in the County of Pulaski, Virginia, on and after July 23, 2002, a fee of twenty-five (\$25.00) dollars is hereby and shall be assessed and imposed as part of the cost on any individual admitted to a county or regional jail following conviction within the County of Pulaski, Virginia, of a crime, misdemeanor, or violation of a local ordinance of the County of Pulaski, Virginia, or any town located within Pulaski County, Virginia. The fund so collected shall be used by the county's sheriff's office to defray the costs of processing arrested persons into local or regional jails, within the County of Pulaski, following conviction of a crime, misdemeanor or violation of a local ordinance of the County of Pulaski or any town located within this county.

Said fees shall be assessed by the Clerk of the Court of the Court in which the conviction occurred, with the other cost of the court proceedings and deposited with the Treasurer of Pulaski County and shall be used by the Sheriff of Pulaski County to defray the cost of processing the convicted arrested persons into the local or regional jail.

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

Voting no: none.

4. Highway Matters:

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

a. Follow-up from Previous Board meeting:

1. Request for Speed Limit Study on Old Hurst Road

Mr. Brugh advised the road in question is Hurston Road. He advised VDOT had reviewed the road and advised the Board that VDOT would likely recommend no posting if a formal speed study were to be conducted. The Board declined to request VDOT to conduct a formal study.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

2. Collier Street Request for Turnout Lane

Mr. Brugh advised the turnout lane can be accomplished; however, the work will have to be done at a later date due to lack of funding.

b. Request for Speed Study – Clark’s Ferry Road

Mr. Brugh was requested to perform an informal speed study and provide an update at the September Board meeting.

c. Update on Rural Rustic Road Program Draft Guidelines

Mr. Brugh provided an update on the guidelines.

Supervisor Fariss requested VDOT review Rt. 607 that junctions into Route 608 to the Wythe County line. Mr. Brugh advised VDOT will review the matter and provide an update at the September Board meeting.

d. Rural Addition Status Report

Mr. Brugh advised Rich Hill Lane does qualify as a rural addition; however, Smythers Mountain Road does not qualify due to wording of deed maintaining road as a private road and property owners accepting responsibility to build road up to standards.

Staff was requested to remove Smythers Mountain Road from the rural addition listing, discuss Rich Hill Lane qualification with Mr. Day, obtain right-of-way and arrange road viewing if necessary.

e. Board of Supervisors Concerns

Supervisor Conner requested the status of Black Hollow Lane. Mr. Brugh agreed to provide an update on the status of all Rural Additions.

Supervisor Cook expressed concern regarding the safety at the 181 interchange at Route 100. Mr. Brugh agreed to review the matter and provide an update.

Supervisor Fariss requested guardrail on Route 693 going downhill to Hoover Color. Mr. Brugh agreed to add the road to the guardrail list.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

Supervisor Sheffey expressed thanks to VDOT for the Parrott Bridge project and requested clarification on plans to use plant mix in paving the approaches to the bridge. Mr. Brugh agreed to confirm arrangements and provide an update to the Board.

Supervisor Sheffey expressed concern regarding safety at the crossover from Rt. 11 into Thornspring Country Club. Mr. Brugh agreed to review a possible cross over, deceleration lane, or other remedy and provide an update at the September Board meeting.

f. Citizen Concerns

Mr. Ed Hoggatt requested VDOT upgrade the yield sign to a stop sign at the intersection of Parrott/River Road/Belspring Road. He further expressed concerns regarding branches blocking the view when turning into the Parrott Post Office. Mr. Brugh agreed to review both matters.

Mr. Ranny Akers requested an explanation regarding the paving quality on Hazel Hollow Road, as well as advised of concerns regarding the lack of striping as a safety issue.

Mr. Ranny Akers expressed his desire for a turning lane in front of McDonalds in Dublin on Rt. 100.

Mr. Ranny Akers advised of the deterioration of Rt. 661, Dunkards Bottom Road, due to recent rains.

5. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly report.

6. Citizens' Comments

Mr. Ed Hoggatt expressed concern over the lack of attention to the cleanup of properties in the county and suggested the Board hire a full-time individual to bring properties into compliance.

Mr. Ranny Akers commented regarding the recent American Electric Power workshop held at the Newbern School regarding standardizing and controlling lakeshore property.

The County Attorney reported Mr. Tickner and Ms. Jenkins have been sworn in as code enforcement officers.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed the Key Activity Timetable in detail.

Supervisor Sheffey requested the target date for the Visitor's Center construction be moved to September.

Supervisor Sheffey advised the Highland Park sewer needs a target date.

Supervisor Cook requested the Rt. 100 street lighting target date reflect an "estimated" date of May 2003.

Supervisor Cook requested an explanation on the Garage Appearance Plan – Paving.

Supervisor Cook confirmed the Town/County Billing proposal was "Rejected" and therefore should be removed from the KAT.

Supervisor Cook requested county entrance signs and subsequent target dates be separated for each sign.

Supervisor Fariss requested the Courthouses Exhibits Committee display some of the exhibits in the County Administration Building, possibly in the Board Room, entrance and lobby area.

b. Report on County Finances

Mr. Huber provided a year-end report of revenues and expenditures for the 2001-02 fiscal year.

Supervisor Hale requested an update on consideration of a Business Professional Occupational License Tax. Staff was requested to provide an update in the weekly update.

Staff reported of plans to meet this week in Richmond with local city/county administrators regarding the Governor's request to state agencies for reduction in funding for the current year by possible 7%, 11%, and 15% cuts.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

c. Scheduling of Administrator's Evaluation

The Board scheduled the County Administrator's evaluation for Thursday, September 19, 2002, at 6:00 p.m. at Tom McCarthy's residence on Claytor Lake.

d. Appointments

The Board delayed action on appointments until the Closed Meeting session of the Board meeting.

8. Items of Consent:

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved all items of consent, as follows.

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

a. Approval of Minutes of July 22, 2002

The Board approved the minutes of the Board of Supervisors July 22, 2002, meeting as presented.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 37574 through 37899, subject to audit.

c. Appropriations and Transfers:

1. General Fund FY 03 #1 - \$118,592.21; & #2 - \$100,986.00

The Board approved the General Fund Appropriations as follows:

General Fund #1:

Expenditures:

1208-3002 – Independent Audit - GASB	\$4,000.00
2201-7137 – Comm. Att. Seized Assets	3,995.33
3102-5427 – Sheriff's Office DARE	4,061.81
3102-7137 – Sheriff's Off. Seized Assets	1,852.90
3107-1001 – 911 Wireless Salaries	21,000.00
3107-1003 – 911 Wireless Part time wages	1,604.00
3107-2001 – 911 Wireless FICA	1,575.00
3107-2005 – 911 Wireless Health Insurance	2,882.00

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

3107-2006 – 911 Wireless Group Life	168.00
3107-2011 – 911 Wireless Worker’s Comp.	32.00
3107-2012 – 911 Wireless Training	1,000.00
3107-2025 – 911 Wireless Flex Benefit	10.00
3107-5203 – 911 Wireless Telecommunications	2,560.00
3107-7001 – 911 Wireless Machinery & Equip.	58,360.00
3107-8002 – 911 Wireless Rental	5,158.00
3211-7001 – Newbern Vol. Fire Depart. Equip.	722.00
3212-7001 – Snowville Vol. Fire Depart. Equip.	1,469.00
7301-2012-01 – Library EZ Training Grant	34.75
7301-5419 – Library Moms, Pops & Tots	2,022.77
7301-5429 – Library Ezra Keats Grant	350.00
7301-5604 – Library RIF Program	8,883.65
8305-5501 – Extension Office Mileage	<u>850.00</u>
Total	\$122,591.21

General Fund #2:

Revenues:

2404-30 – Victims Assistance Program State Grant	\$695.00
2404-77 – CDBG Individual Development Account Program	<u>100,000.00</u>
Total	\$100,695.00

Expenditures:

2202-1001 – Victims Assistance Program Salaries	\$116.00
2202-2001 – Victims Assistance Program FICA	9.00
2202-2002 – Victims Assistance Program VRS	5.00
2202-2206 – Victims Assistance Program Group Life	375.00
2202-5401 – Victims Assistance Program Office Supplies	140.00
2202-5801 – Victims Assistance Program Dues & Assoc. Membership	50.00
5304-5712 – State & Local Hospitalization Local Share	291.00
8127-5606 – Individual Development Account Program Grant	<u>100,000.00</u>
Total	\$100,986.00

2. Governor’s School Fund FY 03 - #2 - \$44,609.00

The Board approved the Governor’s School Fund appropriations as follows:

Governor’s School Fund #2:

Revenues:

1612-12 – Local Share Governor’s School	\$29,793.00
2404-36 – State Share Governor’s School	<u>14,816.00</u>
Total	\$44,609.00

Expenditures:

6112-1121-40 – Governor’s School Classroom Instruction Salaries	\$28,534.00
6219-1111-40 – Governor’s School Administration Salaries	3,351.00

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

6219-1150-40 – Governor’s School Administration Salaries	2,716.00
6219-2101-40 – Governor’s School Administration FICA	519.00
6219-2301-40 – Governor’s School Administration Health Ins.	<u>9,489.00</u>
Total	\$44,609.00

3. Capital Improvements Fund FY 03 - #1 - \$32,399.48

The Board approved the Capital Improvements Fund appropriations as follows:

Capital Improvement #1:

Expenditures:

4302-7005 – General Properties Motor Vehicles	\$7,395.00
1220-7022 – Data Processing Microsoft Licensing	<u>25,004.48</u>
Total	\$32,399.48

4. Interoffice Transfer #2 - \$45,213.04

The Board approved the interoffice transfer #2 in the amount of \$45,213.04.

d. Ratification – Pulaski Community Hospital Memorandum of Understanding

The Board ratified administrative approval of the Pulaski Community Hospital Memorandum of Understanding, which was requested as part of the certification audit of the hospital.

e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Ms. Burchett.

f. Building Usage Application by Greater Pulaski Alliance

The Board approved a Building Usage application for a fund-raising activity from the Greater Pulaski Alliance for use of the courthouse lawn, courts buildings, and the Third and Washington Avenues parking lots for a community festival to be held on October 5, 2002.

g. Scheduling of Public Hearing – Carryovers

The Board approved scheduling of a public hearing at its September 23, 2002 meeting to consider requested carryovers.

h. Employee Residence Policy

The Board approved the following Employee Residency Policy:

Recognizing the need for community involvement by key employees, the Pulaski County Board of Supervisors requires that persons holding the following positions reside in Pulaski County: County Administrator, Assistant County Administrator, Community Development Director, Community Activities Director, Emergency Management Coordinator, County Engineer and Library Director. In making this policy, the Board also recognizes the possibility exists for exemptions, which may be desired in the future by the Board and reserves the right to make exceptions by specific approval. This policy applies to all future hiring and does not retroactively require that existing employees relocate. Persons residing outside the county at the time of hire will be granted six months to establish residency. This residency requirement will be made a part of each of the above job descriptions.

i. Sale of Gate 10 and Finks Farm Road Houses

The Board approved scheduling of a public hearing for its September 23, 2002 meeting for consideration of disposal of the property.

j. Pulaski County Citizens Service Center – Fairlawn

Staff presented the Board with proposals received for the operation of the center. The Board authorized county staff to interview both proposers and negotiate a contract with the best proposer accordingly.

k. Relocation of PSA Office to Dublin Town Center Building

Staff presented the Board with a plan for relocation of the PSA office staff to the Dublin Town Center in an effort to improve customer service, noting that the relocation should provide the public with better access to PSA staff when signing up for service or paying reconnection fees.

The Board approved the relocation with a long range goal of establishing a citizen service center similar to that being proposed for the Fairlawn area, with the costs to be shared with the PSA.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

I. Declaration of Drought Emergency

The Board adopted the following Declaration of Drought Emergency and authorized county staff to send the resolution to the state petitioning Governor Warner to declare Pulaski County a drought disaster area:

Whereas, widespread acres of Pulaski County are experiencing severe drought conditions, which have caused crop losses and damaged forage crops on which livestock producers depend; and

Whereas, the lack of forages has caused many farmers to feed hay which would normally be reserved for the winter months; and

Whereas, many farmers have seen their springs, streams and wells go dry, causing a severe hardship to livestock producers who no longer have sufficient water for their herds; and

Whereas, there does not appear to be any relief in the foreseeable future; and

Whereas, these conditions have and continue to cause severe financial loss to the farmers of Pulaski County;

Now, therefore, be it resolved, that the Pulaski County Board of Supervisors hereby petitions the Honorable Mark Warner, Governor of the Commonwealth of Virginia, to declare Pulaski County a drought area in order to provide the means for those affected to qualify for some relief assistance.

m. School Construction Financing Resolution

The Board reviewed plans as presented by the School Superintendent. Further, the Board adopted the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF PULASKI AUTHORIZING AN APPLICATION TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY WITH RESPECT TO THE SALE OF \$11,000,000 SCHOOL BONDS

WHEREAS, the Pulaski County School Board and the Board of Supervisors ("Board") of the County of Pulaski, Virginia ("County"), have determined that it is advisable to contract a debt and issue general

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

obligation bonds of the County in an amount not to exceed \$12,500,000 to finance certain capital improvements for public school purposes ("Bonds") and to sell the Bonds to the Virginia Public School Authority ("VPSA").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PULASKI, VIRGINIA:

1. The County Administrator and/or the Superintendent of Schools are authorized and directed to submit an application or applications to the VPSA in order to sell the Bonds to the VPSA at the next VPSA bond financing or such subsequent VPSA bond financings as such officer may determine to be in the best interest of the County.
2. This resolution shall take effect immediately.

Adopted by the Board of Supervisors of the County of Pulaski, Virginia, on August 26, 2002.

n. Scheduling of Public Hearing for Renewal of Adelphia Franchise Agreement

The Board approved scheduling of a public hearing at its September 23 Board meeting for renewal of the Adelphia Franchise Agreement.

Staff was requested to distribute a questionnaire soliciting comments from the public regarding the quality of cable service being provided.

o. Evelyn Alexander Memorial Resolution

The Board approved the following resolution and requested staff arrange to have the resolution framed and matted, including a photo of Ms. Alexander, and place resolution in swimming area lobby of Randolph Park:

WHEREAS, Evelyn R. Alexander served the children and young adults of Pulaski and Wythe counties through a lifetime of teaching; and

WHEREAS, Evelyn R. Alexander generously gave 88 acres to the people of Pulaski County for the construction of Randolph Park; and

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

WHEREAS, Evelyn R. Alexander continually sought to serve her community throughout her lifetime through her participation on the Clean Community Council, the Count Pulaski Celebration Committee, the Bicentennial Committee, the Citizens Courthouse Committee, the Citizens Courthouse Exhibits Committee, and the Randolph Park Citizens and Steering Committees; and

WHEREAS, Evelyn R. Alexander was active in her community as a founder of the Olde Newbern Foundation and through that organization was instrumental in the preservation and restoration of the old Newbern Jail; and

WHEREAS, the gifts and service provided by Evelyn R. Alexander has significantly benefited not only present and past citizens of Pulaski County, but will forever enhance the quality of life of its future citizens.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby honor the life of service lived by Evelyn R. Alexander; and

BE IT FURTHER RESOLVED, that the Board of Supervisors expresses its sincere appreciation for the service of Evelyn R. Alexander to the county and its citizens; and

BE IT FURTHER RESOLVED, that this Board of Supervisors does extend to the friends and family of Evelyn R. Alexander its deepest sympathy and condolences in her passing; and

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

Adopted this 26th day of August, 2002.

p. Application for Wireless E-911 Funding

Staff explained that beginning in July 2003, the state will require certification of address information by 95% of all telephone customers in the county. The state is also prepared to pay 66% of the cost of this effort through a grant program.

The Board granted approval for staff to take all acts necessary to apply for this funding and implement this requirement.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

10. Citizen Comments

There were no citizen comments at this time.

11. Other Matters from Supervisors

Supervisor Fariss discussed the Town of Dublin water rates and expressed concern over the Town charging residents outside of the Town of Dublin limits an additional one-third of that charged to in-town residents. The County Administrator was requested to discuss the matter with the Dublin Town Manager.

Supervisor Fariss advised the Board had previously declined to consider the old American Electric Power building in downtown Pulaski as a potential site for a Sheriff's Office.

Supervisor Fariss expressed concern regarding connection fees for mobile parks with sewage hookup. Staff advised the current rate would be \$850 (\$500 for sewer, \$350 for water but that staff planned to recommend reduction to a combined \$425 where more than 20 connections were being purchased in bulk with no expenditure by the PSA.

Supervisor Fariss expressed concern regarding the potential changing of R1 zoning to allow farm animals and suggested creating another zoning designation A2 that would cover small farms and let those residents who want to change their zoning fall under this new zoning. Staff noted plans to hold a community meeting to review the matter and plans to provide mailings to everyone that owns more than three acres of property in an R1 district.

Supervisor Cook discussed the bond referendum to be held in November regarding the \$3.4 million intended for Claytor Lake and advised the plans call for construction of new cabins. The Board authorized staff sending a letter to the Governor, Secretary of Natural Resources, and state elected officials requesting consideration of the development of a convention center rather than cabins.

Supervisor Cook noted a recent detailed study conducted by Glenn Reynolds Architects on the Renfro building. Staff was requested to provide recommendations back to the Board regarding the report and reuse plan.

Supervisor Hale requested an update on the rooster problem on Alum Spring Road. Staff advised the matter is currently going to Circuit Court and property owners have been fined and a lien placed on the property, but enforcement has not occurred. Further, staff advised the property owner has appealed the matter to the Board of Zoning Appeals.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

Supervisor Hale expressed concern regarding the overgrown lot on Alum Spring Road owned by Poff properties. Staff was requested to contact the property owner.

Staff advised of plans to draft an ordinance addressing overgrown properties in established subdivisions.

Supervisor Conner advised a gate had been placed across the Clarks Ferry Road just short of Claytor Lake. Supervisor Cook agreed to review the matter.

12. Closed Meeting –2.2-3711.A.1.3.5.7

On a motion by Mr. Conner, seconded by Dr. Fariss and carried, the Board entered 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:

- ◆ Utilization of the Former AEP Building
- ◆ Disposition of 22-acre Parcel

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:

- ◆ Appointments
- ◆ Recreation Director

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.

- ◆ Shell Building Pricing

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:

- ◆ Alliance Funding
- ◆ River Course

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

Return to Regular Session

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board returned 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

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors adopted 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

◆ Appointments

On a motion by Dr. Fariss, seconded by Mr. Hale and carried, the Board approved the following appointments:

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

1. Social Services Board

Staff was requested to contact Ron Chaffin and request he consider serving, and if unable to serve, request Jean Anderson consider serving.

2. Agency on Aging

The Board reappointed Elaine Powell for an additional term.

3. NRV Juvenile Detention Home Board

The Board requested staff to contact Chris Stafford and request he consider serving.

4. Workforce Investment Board

The Board requested staff to contact Tim Clontz of Ethan Allen and request he consider being nominated to the Workforce Investment Board.

5. Virginia's First Regional Industrial Facilities Authority & Commerce Park Participation Committee

The Board reappointed Joe Sheffey for a two-year term and Mr. Huber for a four-year term, both retroactively to July 1, 2002.

6. Board of Zoning Appeals

The Board authorized the county attorney to request Circuit Court reappoint Ron Shelburne and Jim Odell to Board of Zoning Appeals.

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

Voting no: none.

13. Adjournment

On a motion by Mr. Hale, seconded by Mr. Cook and carried, the Board of Supervisors adjourned to reconvene at a special joint meeting with the School Board on Monday, September 9, 2002 at New River Community College, Dublin, Virginia.

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 26, 2002

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator