

## BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 25, 2002

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, November 25, 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.

### 1. Invocation

The invocation was delivered by Reverend Terri Sternberg of the First Christian Church.

### 2. Additions to Agenda

Mr. Huber advised a property and a personnel matter had been added to the Closed Meeting session of the agenda.

### 3. Resolutions and Awards Presentations

Mr. Dan Hayes, Executive Director of the Visitor Center, presented an award to the Board which had been presented to the Visitor Center on behalf of the Blue Ridge Travel Association.

### 4. Public Hearings

- a. A rezoning request by James Irvin Morris from Residential (R1) to Agricultural (A1) for property identified as tax map no. 083-001-0000-0019, (~20 acres), located at the end of Chestnut Ridge Road (Rt. 671) on the east side, Draper District.

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

Chairman Sheffey opened the public hearing on this matter. There being no citizen comments, the public hearing was closed.

It was moved by Mr. Cook, seconded by Dr. Fariss and carried, that the Board approve the rezoning request from Residential (R1) to Agricultural (A1), as recommended by the Planning Commission.

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

Voting no: none.

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- b. A rezoning request by **Ernest A. Morris** from Residential (R1) to Agricultural (A1) for property identified as tax map no. 074-001-0000-0046, (~2 acres), located at 4200 Old Mill Rd, Draper District.

Mr. Tickner explained the request and advised the Planning Commission recommended denial. He further advised that the applicant, Mr. Morris, had presented a proffer to his initial request.

Chairman Sheffey opened the public hearing on this matter.

Mr. Ernest Morris provided an explanation of his request and requested the Board approval of the rezoning application.

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

It was moved by Mr. Cook, seconded by Dr. Fariss and carried, that the Board deny the rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- c. A rezoning request by **MLK Investments, LLC** for property owned by the **Board of Supervisors of Pulaski Co VA** from Industrial (I1) to Residential (R3), identified as tax map no. 048-001-0000-0032, (~22 acres), located on Lee Hwy. (Rt. 11) approximately 2000 ft. east of the intersection with Wright Ave. (Rt. 1085), Cloyd District.

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

Chairman Sheffey opened the public hearing on this matter.

Ms. Nancy Lewis, a partner in MLK Investments, spoke in favor of the request.

Mr. Bob Henegar of Mathews and Henegar, spoke in favor of the request and advised the site distance met the requirements of VDOT. He further advised of the availability of public water.

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

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

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

- d. A request by **MLK Investments, LLC** for property owned by the **Board of Supervisors of Pulaski Co VA** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow patio homes as either a use by-right, or by Special Use Permit (SUP) in the Residential District (R3):

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

Mr. McCarthy advised two public hearings would be required on the request by MLK Investments. He further suggested the proposed wording for the definition of "Dwelling, Patio Home" be changed to place a period (.) after the word "feet", remove the word "add", and begin the next sentence with "Minimum". The wording would read as follows:

**"Dwelling, patio home** A single-family dwelling on a separate lot with an outdoor orientation and feature such as an atrium or patio. Minimum side yard setbacks may be reduced to 10 feet. Minimum lot size and lot widths may be reduced by a maximum of fifty percent (50%), if deemed appropriate and approved by the Planning Commission. A patio home subdivision must have an established homeowners association, with mandatory membership for each lot, to manage the exterior upkeep of the home, to include structures, lawn care and landscaping, and any open spaces. The homeowners association and its rules, restrictions and covenants shall be recorded with the subdivision plat and each individual lot. A patio home subdivision will comply with all requirements of Section 3-1.4 of the Subdivision Ordinance."

Chairman Sheffey opened the public hearing on this matter.

Mr. John Kelly and Ms. Nancy Lewis, partners in MLK Investments, explained the request in detail and requested the Board approve the rezoning.

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

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve the request, as recommended by the Planning Commission.

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

and

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A request by **MLK Investments, LLC** for property owned by the **Board of Supervisors of Pulaski Co VA** for consideration of a Special Use Permit (SUP) to allow patio homes on property identified as tax map no. 048-001-0000-0032, (~22 acres), currently zoned Industrial (I1), proposed to be zoned Residential (R3), located on Lee Hwy. (Rt. 11), approximately 2000 ft. east of the intersection with Wright Ave. (Rt. 1085), Cloyd District.

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

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

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve the Special Use Permit based on the concept plan, as recommended by the Planning Commission, with the stipulation that the patio will not be increased beyond 18 units. Mr. John Kelly explained the request would be constructed in two phases.

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

Voting no: none.

- e. A request by the **Pulaski County Board of Supervisors** to amend Section 3-1.4 of the **Pulaski County Subdivision Ordinance** to allow Patio Homes as a subdivision type.

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

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

It was moved by Mr. Hale, seconded by Mr. Conner and carried, that the Board approve the request, as recommended by the Planning Commission, on the condition that the homeowners association agreement be recorded.

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

Voting no: none.

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- f. A request by **PAB, Inc.** for a Special Use Permit (SUP) to allow sign height greater than 50' and sign setback less than 1:1 ratio as defined by the Pulaski County Zoning Ordinance on property identified as tax map no. 066-001-0000-018A, zoned Commercial (CM1), (~1 acre), located at 5094 State Park Rd., Ingles District.

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

Chairman Sheffey opened the public hearing on this matter.

Ms. Paula Goforth spoke in favor of the request and presented a video detailing the proposed location of the sign.

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

It was moved by Mr. Cook, seconded by Dr. Fariss and carried, that the Board approve the Special Use Permit as applied for and as recommended by the Planning Commission.

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

Voting no: none.

- g. A request by **Hash Investments LLC** for an amendment to a Special Use Permit (SUP) to allow sale of travel trailers and campers on property known as **Outdoor Motor Mile**, identified as tax map no. 066-001-0000 -018E, and 066-018-0000-016A, 17, zoned Commercial (CM-1), (~3 acres), located at 4941 State Park Rd., Ingles District.

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

Chairman Sheffey opened the public hearing on this matter.

Mr. Tom Rutlidge, General Manager of Outdoor Motor Mile, advised noise issues and traffic concerns had been addressed. Mr. Rutlidge requested the Board approve the Special Use Permit.

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

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

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

Voting no: none.

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- h. A request by **Herbert H. Montgomery** for a Special Use Permit (SUP) to allow a second manufactured home as defined by the Pulaski County Zoning Ordinance on property identified as tax map no. 018-008-0000-0001, zoned Agricultural (A1), (~2 acres), located at 5640 Montgomery Hollow Rd., Cloyd District.

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

Chairman Sheffey opened the public hearing on this matter. The being no comments, the public hearing was closed.

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

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

- i. A request from **James A. Hager** to vacate a portion of a 30 ft. Unimproved right-of-way adjoining the eastern boundary of tax map parcel 056-001-0000-0057, zoned Industrial (I1), and the western boundary of tax map parcels 056-009-0000-0217 located in the Town of Dublin and 056-001-0000-059A, zoned Industrial (I1) located south off **Dominion Dr.** (Rt. 1019), in the Draper District.

Mr. Tickner explained the request and advised one citizen had expressed concern regarding the request.

Chairman Sheffey opened the public hearing.

Mr. Jim Hager spoke in favor of the request and advised the citizen concern was not directly related to Mr. Hager's request, but was concern over the reasoning for the Board's consideration in vacating the right-of-way off of Dominion Drive, and not proceeding with paving on Banks Street.

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

It was moved by Mr. Cook, seconded by Mr. Hale and carried, that the Board approve the request, with the stipulation that a 30 ft. utility easement be provided on the property, with its location to be determined by the County Administrator, County Engineer and the applicant.

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

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- j. An ordinance incorporating the provisions of Section 18.2-266 et seq. of the Code of Virginia 1950, as amended, and the provisions of Title 46.2 of the Code of Virginia, 1950, as amended, as ordinances of Pulaski County, Virginia. The "Motor Vehicles Laws" and the "Driving Motor Vehicle, etc., While Intoxicated" statutes of the Commonwealth of Virginia, with penalties, and penalties set by Pulaski County.

Mr. McCarthy explained the proposed ordinance in detail. Mr. Huber further explained the purpose of the proposed ordinance was to make up for some of the revenue loss in the Commonwealth Attorney and Clerk's Offices due to state budget cuts. Commonwealth Attorney Mike Fleenor explained the affects of the revenues to be generated by the proposed ordinance.

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

Mr. Fleenor advised if the ordinance was passed at the meeting, it would take some time for all individuals in the system to be contacted and to become familiar with the new ordinance.

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

**ORDINANCE NO. 2002-11-25**

**DRIVING WHILE INTOXICATED AND MOTOR VEHICLE ORDINANCE  
PULASKI COUNTY, VIRGINIA**

**ARTICLE I - Title and Jurisdiction**

**1.1 Title.** - This ordinance shall hereinafter be known as, and may be cited as the "Driving While Intoxicated Ordinance and Motor Vehicle Ordinance of Pulaski County, Virginia," Ordinance No.2002-11-25.

**1.2 Jurisdiction.** - The provisions of this ordinance shall apply to Pulaski County, Virginia, excluding the incorporated municipalities, except Draper, Virginia.

**ARTICLE II - Adoption of State Laws**

**2.1** Pursuant to the provisions of Section 46.2-1313 of the Code of Virginia, 1950, as amended, all of the provisions and requirements of the laws of the state contained in Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, 1950, as now or hereafter amended, except those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated by reference, made a part of this ordinance, and made applicable within Pulaski County, Virginia, as though fully set forth herein. Such provisions and requirements are hereby adopted mutatis mutandis and made a part of this ordinance as fully as though set forth at length herein, and it shall be unlawful for any person within Pulaski County, Virginia to violate

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or fail, neglect or refuse to comply with any provision of Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, 1950, as amended, which is adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, 1950, as amended.

- 2.2** Pursuant to the provision of Section 46.2-1313 of the Code of Virginia, 1950, as amended, and Section 46.2-1300, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, 1950, as now or hereafter amended, except those provisions and requirements which by their very nature can have no application to or within the county, and except those provisions and requirements, the violation of which constitutes a felony, are hereby adopted and incorporated by reference, made a part of this ordinance, and made applicable within Pulaski County, Virginia, as though fully set forth herein. References therein to "highways of the state" shall be deemed to refer to streets, highways and other public ways within Pulaski County, Virginia. Such provisions and requirements are hereby adopted mutatis mutandis and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person within Pulaski County, Virginia, to violate or fail, neglect or refuse to comply with any provisions of Title 46.2 of the Code of Virginia, 1950, as amended, which is adopted by this ordinance, provided that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia, 1950, as amended. If there shall be any inconsistency between this ordinance and Title 46.2 of the Code of Virginia, 1950, as amended, the provisions of this ordinance shall take precedence.

### ARTICLE III - Legal Status Provisions

- 3.1** **Certified Copies of Ordinances.** Certified copies of this ordinance and all amendments thereto shall be filed in the offices of the County Administrator, the Clerk of the Circuit Court of Pulaski County, Virginia, the Clerk of the General District Court of Pulaski County, Virginia, and the Clerk of the Juvenile and Domestic Relations Court of Pulaski County, Virginia.
- 3.2** **Validity.** Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.
- 3.3** **Effective Date.** Pursuant to Section 15.2-1427 of the Code of Virginia, 1950, as amended, this ordinance shall become effective upon adoption.

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

Voting no: none.

**5.** **Highway Matters:**

The Board met with Assistant Resident Engineer John Thompson regarding the following highway matters:

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a. Follow-up from Previous Board Meeting:

1. Informal Speed Study, Rt. 100 from NRCC to Airport at Giles Avenue Intersection

Mr. Thompson advised a report could be provided at the December meeting.

2. Secondary Road System Resolution – Draper Ridge Road

It was moved by Dr. Fariss, seconded by Mr. Hale and carried, that the Board approve the following resolution, with an effective date of October 28, 2002:

Whereas, the street(s) described on Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's office of the Circuit Court of Pulaski County, and

Whereas, the resident engineer of the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

Now, Therefore, Be It Resolved, this Board requests the Virginia Department of Transportation to add the street(s) described on the Additions Form SR-5(A) to the Secondary System of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

Be It Further Resolved, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

Be It Further Resolved, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

3. Miller Lane Speed Posting

The Board requested an informal speed study be conducted on Miller Lane and Whitt Southern Road. Mr. Thompson advised a report could be provided at the December meeting, if received in time.

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Supervisor Sheffey requested VDOT consider a four way stop at Brandon and Dudley Ferry Roads. Mr. Thompson advised VDOT would be unable to do a four way stop, but could consider additional signage. Supervisor Sheffey requested VDOT provide a letter to the County to this affect.

### b. Rural Addition Status Report

- VDOT Estimate of First Part of Rich Hill Lane

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve the addition of the first part of Rich Hill Lane to the rural addition listing.

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

Mr. Thompson advised VDOT is working on improvements to Black Hollow Heights Lane and should be completed by mid December.

Mr. Thompson advised materials had been ordered for Cooks Lane and the contractor is expected to begin work within the next few days. Mr. Thompson further advised an expected completion date should be in January, depending upon the weather.

### c. Six Year Plan Adoption

Mr. Thompson suggested the Board wait until the December Board meeting to adopt the plan.

Staff was requested to meet with the resident engineer to compare the county's version of the plan with that of VDOT's and present a final plan for adoption by the Board at its December 16 meeting.

### d. Board of Supervisors Concerns

Supervisor Conner inquired as to the timetable for bidding of improvements to Hatcher Road. Mr. Thompson advised the bidding would depend upon the weather, but it was anticipated bidding would occur at the first of the year (2003).

Supervisor Conner advised of potholes where the pavement is breaking up on Route 643.

Supervisor Fariss requested guardrail be placed on Cardinal Drive in Dublin.

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VDOT presented a resolution for recreational access road funding for Horseshoe Campground. Staff was requested seek sketches showing the proposed road and clarify the wording in the resolution, specifically concerning county ownership. Staff was requested to provide the Board an update at the December meeting, at which time the resolution would be considered for adoption.

e. Citizen Concerns

There were no citizen comments at this time.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly report.

Supervisor Fariss inquired as to the combining of property taxes and decals into one mailing. Ms. Tickle advised Treasurer's staff is working towards this goal.

7. Citizens' Comments

There were no citizen comments at this time.

8. Reports from the County Administrator & Staff:

a. Use of Technology as An Economic Development Tool

Mr. Linwood Wright, President of the Future of the Piedmont Foundation, presented a detailed report regarding the use of technology as an economic development tool. A copy of the Future of the Piedmont report is filed with the records of this meeting.

b. Proposed Animal Shelter Design

Mr. Glenn Reynolds, Architect, presented a site proposal and building design for the proposed Animal Shelter design.

It was moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve requesting the Dublin Town Council consider donating land for the proposed animal shelter.

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

Voting no: none.

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Ms. Judy Flemming, member of the Pulaski County Humane Society and a member of the Animal Shelter Advisory Committee, advised that the Town of Dublin was very receptive to the proposed site plan and building design. She further advised of the willingness of the Humane Society and Animal Shelter Advisory Committee to develop a fundraising campaign to be solely operated by the committee, at no cost to the county, while using the radio, local papers, web site, and billboards, as a means for raising funds.

Supervisor Fariss suggested \$200,000 as a target for the fundraising efforts.

Alisa Krell further explained the proposed fundraising efforts, as well as plans for providing volunteers for the weekends at the shelter and plans for the fundraising campaign.

Supervisor Cook questioned the cost for including stainless steel in the plans. Mr. Reynolds advised the cost would be approximately \$5,000 more than the proposed plans.

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve the concept for the proposed Animal Shelter.

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

Supervisor Cook requested the total amount of fees from Reynolds Architects in order to determine the total estimated cost of the project.

c. Key Activity Timetable (KAT)

Mr. Huber presented an updated Key Activity Timetable.

Supervisor Cook requested staff provide the Board with a specific timetable for installation of the septic system at Randolph Park maintenance buildings.

Supervisor Fariss advised of opposition to using insecticides in ponds and water. Staff was requested to notify the local Health Department.

Supervisor Fariss requested a timetable for the county's installation of the sign at Memorial Bridge.

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d. Appointments:

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

9. Items of Consent:

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

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

a. Approval of Minutes of

The Board approved the minutes of the Board of Supervisors November 25, 2002, meetings as presented.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 38599 through 38977, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved appropriations as follows, as well as interoffice transfer #5 totaling \$53,053.26:

General Fund #6

Revenues

|         |                                      |                 |
|---------|--------------------------------------|-----------------|
| 1613-04 | Office on Youth After School Program | \$ 2,320.00     |
| 2404-15 | State Grant Fine Arts Center         | <u>5,000.00</u> |
|         | Total                                | \$ 7,320.00     |

Expenditures

|           |   |                 |
|-----------|---|-----------------|
| 5322-1003 | Office on Youth Wages After School Pro. | \$ 2,320.00     |
| 7205-5606 | Fine Arts Center – State Grant          | <u>5,000.00</u> |
|           | Total                                   | \$ 7,320.00     |

General Fund #7

Revenues

|         |             |              |
|---------|-------------|--------------|
| 2404-09 | Library Aid | \$-19,308.00 |
|---------|-------------|--------------|

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Expenditures

|      |                                  |                 |
|------|----------------------------------|-----------------|
| 3002 | Contracted Professional Services | \$ (500.00)     |
| 3005 | Maintenance & Service Contracts  | (600.00)        |
| 3010 | On Line Services & Contracts     | (300.00)        |
| 5101 | Electrical Services              | (699.00)        |
| 5303 | Telecommunications               | (250.00)        |
| 5405 | Janitorial Supplies              | ( 50.00)        |
| 5411 | Books & Subscriptions            | (14,959.00)     |
| 5504 | Convention & Education           | (200.00)        |
| 7002 | Furniture & Fixtures             | (1,000.00)      |
| 7103 | Computer Software                | <u>(750.00)</u> |
|      | Total                            | (\$19,308.00)   |

School Fund #3

Revenues

|            |                              |               |
|------------|------------------------------|---------------|
| 3018031300 | Refund/Overpayment           | \$ 2,359.07   |
| 3018990200 | Misc.                        | 7,014.51      |
| 3019012600 | Comp. Services Reimbursement | 10,674.04     |
| 3019012900 | School Nurse Services        | <u>758.52</u> |
|            | Total                        | \$ 20,806.14  |

Expenditures

|           |                 |                  |
|-----------|-----------------|------------------|
| 6229-3110 | Health Services | \$ 758.52        |
| 6112-1121 |                 | <u>20,047.62</u> |
|           | Total           | \$ 20,806.14     |

VPA Fund #1

Revenues

|               |                       |              |
|---------------|-----------------------|--------------|
| 0033033020900 | ADC/FC Matching       | \$ 220,000   |
| 0033033022800 | Transitional Day Care | <u>5,000</u> |
|               | Total                 | \$ 220,000   |

Expenditures

|               |                           |              |
|---------------|---------------------------|--------------|
| 0035302505706 | ADC Foster Care           | \$ 220,000   |
| 0035344505755 | 878 Head Start Transition | <u>5,000</u> |
|               | Total                     | \$ 225,000   |

d. Ratification

There were no items submitted for ratification.

e. Personnel Changes

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

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f. Resolution of Appreciation – Joel Hicks

The Board adopted the following resolution of appreciation recognizing Joel Hicks in his service to Pulaski County. Staff was requested to arrange for a formal presentation to be held at the Board's December 16 meeting.

WHEREAS, **Joel Hicks** served as Head Coach for the Pulaski County High School Football Program for 24 years; and

WHEREAS, in those 24 years of service as Head Football Coach at Pulaski County High School, **Joel Hicks** won 210 games; and

WHEREAS, Joel Hicks accomplished the following during his 24 years as Head Football Coach at Pulaski County High School;

- Won the Group AAA, Division 6 State Championship in 1992;
- Played in three state championships;
- Won 10 or more games, eight times;
- Recorded a record of 10-0, three times;
- Won six region championships;
- Recorded 15 district championships;
- Had the most wins in a Cougar season (13) in 1993;
- Won 300<sup>th</sup> game vs. William Byrd in 2002; and
- Ended career with 301 wins, 97 losses and two ties.

WHEREAS, **Joel Hicks** has provided an excellent example of good character and delivered tireless positive motivation to the youth of Pulaski County.

WHEREAS, **Joel Hicks** gave countless hours in selfless service to all citizens of Pulaski County; and

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its appreciation for the service of **Joel Hicks** to the county and its citizens; and

BE IT FURTHER RESOLVED, that the Pulaski County Board of Supervisors recognizes the contributions of **Joel Hicks** and wishes him the best in his retirement; and

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BE IT FURTHER RESOLVED, that that 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 **Joel Hicks** to the citizens of Pulaski County.

Adopted this 25th day of November, 2002.

g. Resolution of Recognition – Fran Baldwin

The Board adopted the following resolution of appreciation recognizing Fran Baldwin and requested staff arrange for a formal presentation to be held at the Board's December 16 meeting.

WHEREAS, Fran Baldwin has served as a teacher in the Pulaski County School System for 28 years;

WHEREAS, Fran Baldwin's entire service as a teacher in the Pulaski County School System has been at the Riverlawn Elementary School; and

WHEREAS, Fran Baldwin was selected Regional VII Teacher of the Year in 2002, thereby qualifying her as one of eight finalists for the Teacher of the Year 2003 for the state; and

WHEREAS, prior to obtaining Regional VII Teacher of the Year, Fran Baldwin obtained National Board Certification in 2001, Teacher of the Month for Pulaski County Schools in December 2001, and Teacher of the Year for Pulaski County Schools in 2002; and

WHEREAS, Fran Baldwin has given countless hours in selfless service to the students at Riverlawn Elementary.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its appreciation for the service of Fran Baldwin to the county and its citizens; and

BE IT FURTHER RESOLVED, that the Pulaski County Board of Supervisors recognizes the contributions of Fran Baldwin; and

BE IT FURTHER RESOLVED, that that 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 Fran Baldwin to the citizens of Pulaski County.

BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 25, 2002

Adopted this 25th day of November, 2002.

h. Section 125 Administrative Services Agreement

The Board approved renewing the agreement with Stanley, Hunt, Dupree & Rhine, Inc. for the administrative services provided for the county's flexible benefits plan (cafeteria plan), as recommended by county staff. A copy of said agreement is filed with the records of this meeting.

i. Contract with Bright & Associates for Software Management

The Board approved the contract, as recommended by county staff. A copy of said contract is filed with the records of this meeting.

j. Deer Overpopulation

The Board approved requesting the Department of Game and Inland Fisheries extend the 2003 deer season and liberalize the doe season. Staff was requested to seek clarification from the state on special permits, as well as rules and regulations about the season.

k. Repair of Stone Courthouse Elevator

The Board authorized repairing the existing unit using General Properties funds, upon receipt of bids, with an anticipated cost of approximately \$15,000.

l. Web GIS Contract with Anderson & Associates

The Board approved the contract with Anderson and Associates, as recommended by county staff, a copy of which is filed with the records of this meeting.

m. Claytor Lake State Park Lodge

The Board approved sending a letter to Governor Warner and other elected officials requesting consideration of the construction of a lodge/convention center as an alternative to the proposed cabins.

n. Legislative Agenda

The Board approved the legislative agenda as prepared by staff and requested the agenda be sent to state and federal legislators.

o. Thornspring Sewer Line

The Board was advised bids for the construction of the Thornspring Sewer Line have been solicited and received by the Town at an estimated County cost of \$75,000. The Board authorized the Town of Pulaski proceeding with the construction of the proposed line based on the agreement by the Town with the a shared usage agreement. Mr. McCarthy was asked to develop the shared usage agreement allowing for no-cost transport (other than pumping cost) of sewage through town and county lines. Potential areas which may be served by this line include the new elementary school and potential residential development along Morehead Lane and around the Thornspring Country Club.

p. Response to State Budget Cuts

The Board adopted the following guidelines entitled "Pulaski County Policy in Response to State Budget Cuts":

**Pulaski County Policy in Response to State Budget Cuts**

1. State cuts will not be absorbed by the general fund unless they directly affect core taxation functions in the Commissioner of Revenue and Treasurer's offices. Any additional staff support in those offices paid for from general fund revenues will qualify affected employees as employees of the Board of Supervisors subject to reassignment as may be needed.
2. New or increased fees, fines, grants and other revenue sources will be passed on to support operations of departments or agencies generating the revenues. Temporary general fund subsidies will be considered by the Board of Supervisors for a period not to exceed 3-months to allow for collection of additional revenue.
3. Offices receiving any general fund subsidy must be operating on a minimum 40-hour work week. Specific service hours and scheduling remain at the discretion of the office or agency.

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q. Enhanced 911 System

The Board authorized procuring and awarding a contract for services allowing for verification of all existing roads, developing coverage listings for every county road and publishing a book address and road listings for use by emergency response agencies.

r. Control of Black Vulture Roost

The Board confirmed previous action to control the black vulture population and approved a \$1,000 donation, with a commitment to fund an additional \$1,000, assuming the first donation results in reduction in the buzzard population.

Staff was requested to send Robert Whitman, Jr. a notice of the Board's action and plans.

s. Administration of Indoor Plumbing Rehabilitation Program

The Board approved transferring responsibility for administration of this program from the New River Planning District Commission to the Southeast Rural Community Assistance Program.

t. Dry Well Replacement Program

The Board approved participation in the Dry Well Replacement Program as a way of possibly assisting the 11 county households whose wells went dry during the drought.

u. Extended Local Service (ELS)

Staff was requested to determine the impact on the county on phones billed for the extended local service and notify the Board.

10. Citizen Comments

There were no citizen comments at this time.

11. Other Matters from Supervisors

Supervisor Fariss presented a Car Tax Facts Sheet prepared by Montgomery County.

## BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 25, 2002

Supervisor Fariss expressed concern regarding taxable income generating property being moved from taxable to non-taxable basis. The Board requested this matter be added to the legislative issues previously approved by the Board.

Supervisor Fariss requested confirmation on the accuracy of utility taxes collected on the use of cell phones.

Supervisor Hale expressed concern regarding the costs involved in the proposed extended calling area. Staff was requested to review additional costs of \$12.60 per line and advise how much additional cost the County would incur if extended calling area is approved.

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

It was moved by Mr. Hale, seconded by Mr. Cook and carried, that the Board of Supervisors enter closed 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:

- Rt. 11 Property Sale
- Governors/Magnet School
- Pulaski County Technology Park

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
- Personnel

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.

- Project Spirit

BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 25, 2002

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:

- None

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

Voting no: Dr. Fariss.

Return to Regular Session

On a motion by Dr. Fariss seconded by Mr. Cook 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. Conner, seconded by Mr. Hale 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.

BOARD OF SUPERVISORS MEETING MINUTES OF NOVEMBER 25, 2002

Appointments

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board approve the following appointments:

1. NR Community Action

Staff was requested to contact Carolyn Brown and request she consider serving on the Board.

2. Southwest Virginia Economic Development Financing

The Board reappointed Dallas Cox for a term ending December 31, 2003.

3. Indoor Plumbing Rehabilitation (IPR) Rehab Oversight Committee

The Board deferred action on this matter.

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

Voting no: none.

12. Adjournment

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors adjourned its regular meeting scheduled for Monday, December 16, 2002 at 7:00 p.m. in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski.

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

Voting no: none.

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Joseph L. Sheffey, Chairman

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Peter M. Huber, County Administrator