

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 22, 2003

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 22, 2003 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: Peter M. Huber, County Administrator; Nancy M. Burchett, Assistant County Administrator; David Tickner, Community Development Director; Thomas J. McCarthy, Jr., County Attorney; and Gena T. Hanks, Executive Secretary.

1. Invocation

The invocation was delivered by Thomas J. McCarthy, Jr., County Attorney.

2. Additions to Agenda

Mr. Huber noted the addition of two items under the Closed Session portion of the agenda under Prospective Industry and Personnel.

Mr. Huber presented a slide show of Hurricane Isabel.

3. Public Hearings

a. Six Year Secondary Road Hearing

Chairman Sheffey explained the purpose of the public hearing was to receive public comments on the proposed six-year plan, as well as to suggest additional items for the inclusion in the plan.

Virginia Department of Transportation (VDOT) Assistant Resident Engineer Dail Stancill presented a slide show detailing the proposed six-year plan priorities.

Chairman Sheffey requested VDOT allow additional citizen comments be held at the October 27, 2003 Board meeting, to allow those citizens unable to attend the September 22 meeting, an additional opportunity for speaking regarding the six-year plan.

Mr. Sheffey opened the public hearing on this matter.

Ms. Joyce Thorne spoke requesting the Dunkard's Bottom drainage issue be placed on the six-year plan, citing the exiting drainage issue, as well as health concerns.

Mr. Robert Stoots spoke inquiring if Church Hill Lane would qualify for the Rural Rustic Road Program and if not, requested Church Hill Lane be moved onto the plan.

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A written request was also received from Robert Ratcliff requesting paving of Case Knife Ridge Road.

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

Chairman Sheffey confirmed that additional comments would be taken from the public at its October 27, 2003 meeting, with a final decision on prioritization of the six year plan to be made at the Board's November 24, 2003 meeting.

Chairman Sheffey expressed appreciation to VDOT for the visual information provided earlier in the meeting.

- b. A rezoning request by **Industrial Development Authority of Pulaski County** from Conditional Industrial (Cond. I1) to Conditional Industrial (Cond. I1), on property identified as tax map no. 108-001-0000-053B, located at 2285 Julia Simpkins Rd., (Rt. 693), Ingles District.

Chairman Sheffey advised the Planning Commission had tabled consideration of this matter to its October 27, 2003 Board meeting; however, public comments would be taken since the public hearing had been advertised for this date. There were no citizen comments.

- c. A rezoning request by **Gene D. & Betty M. Sutphin** from Conditional Commercial (Cond. CM1) to Conditional Commercial (Cond. CM1), on property identified as tax map no. 107-001-0000-0002, located at 2496 Wysor Highway, (Rt. 100), Draper District.

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

Chairman Sheffey opened the public hearing on this matter.

Ms. Betty Sutphin, applicant, requested the Board vote favorably on the request for a Special Use Permit.

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

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve the rezoning 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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- d. A request by **Gene D. & Betty M. Sutphin** for a Special Use Permit (SUP) to allow light manufacturing, on property identified as tax map no. 107-001-0000-0002, (.4577 acre), zoned Conditional Commercial (Cond. CM1), located at 2496 Wysor Highway, (Rt. 100), 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 comments, the public hearing was closed.

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

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

- e. Transfer of Pump Station Property at NRV Fairgrounds

Mr. Huber explained the public hearing was for the purpose of seeking comments on a request for property transfer at the New River Valley Fairgrounds to the Town of Dublin for the purpose of building a pump station as part of the town's water system improvements. Supervisor Fariss requested staff provide further details on the property transfer before action by the Board.

It was moved by Dr. Fariss, seconded by Mr. Hale and carried, that the matter be tabled to the October 27, 2003 Board meeting to allow county staff time to gather additional information. Staff was also requested to provide a map showing where existing waterlines and pump stations are located, as well as points where the Town of Dublin picks up water for the PSA. Further, staff was requested to re-advertise the public hearing for the Board's October 27, 2003 meeting.

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

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4. Highway Matters:

The Board discussed the following highway matters with Virginia Department of Transportation (VDOT) Assistant Resident Engineer Dail Stancill:

a. Follow-up from Previous Board Meeting:

1. Formal Speed Study, Ebb Hall Road, Rt. 806

VDOT was reminded of the formal speed study request by Board at its August meeting. VDOT agreed to provide an update at the October 27 meeting.

2. Horseshoe Loop & Black Hollow Road Speed Limit Posting

Mr. Stancill advised the current speed limit is being reviewed. VDOT will provide an update at the Board's October 27 meeting.

3. Whitt Southern Drive

Mr. Stancill advised the work is expected to be completed by November 15, 2003.

b. Rural Addition Status Report

Supervisor Sheffey inquired regarding status of Deerwood Drive.

c. Board of Supervisors Concerns

Supervisor Conner advised of water running approximately one foot higher than the drainage in Little Creek at the old Steger's cabin.

Supervisor Conner advised of a problem with a low water bridge at Little Creek, as well as the need for guardrail.

Supervisor Conner advised of brush blocking the view turning onto Caddell Road at the old drive-in theatre.

Supervisor Cook requested an informal speed study on Lizzie Gunn Road.

Supervisor Cook advised of uneven pavement at the intersection of Rts. 100 and 99.

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Supervisor Fariss advised of steep curves on Rt. 693 going towards Hoover Color, citing concerns over buses attempting travel on the hill. VDOT agreed to review & provide update.

Supervisor Sheffey requested VDOT patch holes in the community of Lillydale.

d. Citizen Concerns

Ms. Deborah Gessner of Ebb Hall Road advised the deed for her property has a residential designation, should this be a factor in determining the speed limit for Ebb Hall Road.

Dunkard's Bottom residents renewed their request for patching potholes at the intersection of Dunkard's Road and Barton Drive.

Mr. Stancill advised a formal speed study on Rt. 636, Alum Spring Road, indicated the need for a 40 mph speed limit. Mr. Stancill advised VDOT would post the speed limit.

5. Treasurer's Report

Treasurer Rose Marie Tickle presented a monthly report.

6. Citizens' Comments

There were no citizen comments.

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Key Activity Timetable was reviewed by the Board. Board members inquired regarding the Rolling Hills and Orchard Hills funding, the Rt. 100 streetlight status and the status of the Fairlawn Customer Service Center. Staff was requested to provide an update to Board regarding the Fairlawn Customer Service Center at its October 27 Board meeting.

b. Building Code Changes

Ms. Edith Hampton and Mr. Ty Kirkner, Building Inspectors, provided an update on the changes to the Statewide Building Codes which are to become effective October 1, 2003.

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The Board requested staff determine if building code changes can be placed on the county's web site for review by the public. Supervisor Sheffey directed staff send a letter to appropriate state officials requesting the entire code be placed on internet.

c. Report on Request from Friends of Pulaski Theatre (FOPT) For Property Tax Exemption

Mr. Huber presented a detailed report to the Board which included a listing of the seven (7) properties that are considered tax exempt.

It was moved by Mr. Hale, seconded by Dr. Fariss and carried, that the Board approve a county contribution of \$750 towards the taxes for the Friends of Pulaski Theatre, with a grant request to the state for a matching \$750 contribution, for a total benefit to the FOPT of \$1,500, and further with the request to be reviewed annually as part of the Board's budget process

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

d. Animal Shelter Construction Bid Award

Mr. Huber presented a report of funds raised to date on behalf of the Pulaski County Humane Society.

Mr. Glenn Reynolds, Architect presented detailed information regarding the proposed animal shelter and related costs.

It as moved by Dr. Fariss, seconded by Mr. Cook and carried, that the Board approve an additional appropriation of \$225,000 in order to award construction of the new animal shelter building to Shelor, Inc. for constructing the basic building with a finished expansion area. In taking this action, it is understood that the Humane Society would be raising a total of \$250,000 toward the cost of the facility with approximately \$80,000 raised to date, with an additional \$170,000 to be raised. Thus, the final cost to the county would be \$650,000.

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

e. Report on Tax Relief to the Elderly

Mr. Huber and Commissioner of Revenue Maynard Sayers presented information regarding the proposed amendment to the Tax Relief to the Elderly and Disabled Tax Relief Program.

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It was moved by Mr. Hale, seconded by Dr. Fariss and carried, that the Board approve changes to the Tax Relief to the Elderly and Disabled Tax Relief Program by increasing the income eligibility limits to a maximum of \$20,000.

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

f. Reassessment Schedule, Ordinance and Nominations to Board of Equalization

Following adoption of the reassessment schedule at the August 25, 2003 Board meeting, staff suggested advertising of a public hearing prior to establishing the reassessment calendar in ordinance form at the October 27 Board meeting and the nomination of persons for consideration by the Circuit Court to serve on a three member Board of Equalization.

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve advertising of a public hearing for the October 27, 2003 Board meeting for adoption of the reassessment ordinance.

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

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 Dr. Fariss seconded by Mr. Conner and carried, the Board approved all items of consent as recommended by staff, except for item "h - "Naming of Randolph Park Softball Complex", which was voted on as a separate matter.

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

a. Approval of Minutes of August 25, 2003

The Board approved the minutes of the Board of Supervisors meetings of August 25, 2003 Board meeting, as well as a correction to the May 19, 2003 minutes to read as follows:

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On a motion by Mr. Conner, seconded by Dr. Fariss and carried, the Board approved the Special Use Permit request with the understanding that the county will be allowed with the understanding that the county will be allowed to use the tower for its communications needs, placement of a tower to a maximum height of 199 feet with the following conditions recommended by the Planning Commission.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 6350 through 6752, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved interoffice transfer #3 in the amount of \$55,638.54 and appropriations as follows:

General Fund #3

Expenditures

2825	EZ Grant Training	\$ 181.20
6029	Moms, Pops, Tots	\$ 1,817.09
5699	RIF	<u>\$ 8,276.14</u>
Total		<u>\$10,127.98</u>

General Fund #4

Revenues

27404-0900	Library State Aid	(\$60.00)
Total		(\$60.00)

Expenditures

7301-6012	Books To allocate additional State aid	\$60.00
Total		\$60.00

General Fund #5

Revenues

2404-0100	DCJS Grant Equipment Sheriff's Office	\$2,438.00
Total		\$2,438.00

Expenditures

31200-8101	Sheriff's Office Equipment	\$3,250.00
Total		\$3,250.00

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Schools #1

Revenues

3-205-033020-1700 Assistive Technology Grant \$2,000.00-
Total \$2,000.00-

Expenditures

4-205-62240-6004-900 955 Medical & Laboratory
Supplies \$2,000.00
Total \$2,000.00

Schools #3

Revenues

3-205-03020-4600 Blue Ridge West \$7,962.67-
Total \$7,962.67-

Expenditures

4-205-061100-1621- Teacher Supplements \$5,250.00
200-000-956
4-205-061100-1521- Substitute Teachers \$1,125.00
200-000-956
4-205-061100-2100- FICA \$487.67
200-000-956
4-205-061100-5540- Travel \$1,100.00
200-000-956
Total \$7,962.67

- d. Ratification – Grant Application Community Foundation of the New River Valley by Pulaski County Courthouses Exhibits Committee for Early Schools & Churches Exhibits

The Board ratified a grant application to the Community Foundation of the New River Valley by the Pulaski County Courthouses Exhibits Committee for the Early Schools and Churches Exhibits.

- e. Contracts & Change Orders:

1. Home Electronic Monitoring Equipment

The Board approved contracting with Professional Programmers, Inc./Correction Services in the amount of \$49,700 for home electronic monitoring equipment.

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2. Newbern Fire Truck

The Board approved a contract for the purchase of a pumper and tanker chassis from Elite with a low bidder amount of \$311,300 and with the Newbern Volunteer Fire Department being responsible for reducing the purchase cost to \$300,000, or funding any remaining balance.

f. Personnel Changes

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

g. Beyond the Call of Duty Award

The Board approved instituting a "Beyond the Call of Duty" award to include a cash bonus of up to \$100 recognizing Board of Supervisor, Constitutional Officer, and PSA employees that go "Beyond the Call of Duty" in their service to the county.

h. Naming of Randolph Park Softball Complex

It was moved by Dr. Fariss, seconded by Mr. Conner and carried, that the Board approve naming of the Randolph Park softball complex the "Charles Cook Sports Complex", as well as adopting the following resolution recognizing Mr. Cook for his efforts towards Randolph Park:

***RESOLUTION
Charles E. Cook***

WHEREAS, Charles E. Cook has served the citizens of Pulaski County as a member of the Board of Supervisors of Pulaski County from January 1, 1999 to present; and

WHEREAS, Charles E. Cook was instrumental in developing the VISION for this park, in working with the Department of Conservation and Recreation seeking designation of the Randolph Park as a public recreational facility, in obtaining the allocation of recreational access funds for an access road to serve Randolph Park, in working with Ms. Alexander, who donated the land for the park, and in guiding the construction of this six million dollar state-of-the-art outdoor recreational facility now known as Randolph Park; and

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WHEREAS, Charles E. Cook provided an example of **EXCELLENCE** through selfless dedication to the development of Randolph Park, including, but not limited to, the Randolph Park Softball fields; and

WHEREAS, the Pulaski County Board of Supervisors hereby designates the naming of the Randolph Park softball fields as the "Charles Cook Sports Complex".

NOW THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors takes **PRIDE** in commending and recognizing the dedicated service of Charles E. Cook to the Board of Supervisors and the citizens of Pulaski County; 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 Charles E. Cook.

Adopted this 22nd day of September, 2003.

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

Voting no: none.

Abstaining: Mr. Cook.

i. Two-For-Life Emergency Medical Services Grant

The Board accepted the \$15,495 in grant funds designated for training of EMS personnel and/or the purchase of equipment and supplies, with the condition that the Board agrees not to supplant previous local government funding commitments and report the appropriate expenditure of funds.

j. Designation of Virginia Department of Emergency Management Applicant Agent

The Board approved designating William H. Richardson as the county's agent in the application for, and management of, the public safety grants.

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k. Fairview District Home – Sale of Property

Staff reported the Fairview District Home Board had met and voted 2 to 1 to sell the 5 or so acres of property. The District Board is now asking for official approval of the sale of the property by the five owner jurisdictions. It is their understanding that all jurisdictions have to unanimously agree to sell the property before it can be sold.

By a unanimous vote, as noted in the original voting record for the Items of Consent, the Board agreed to the sale of the property.

l. Constitution Week Proclamation

The Board approved the following resolution proclaiming September 17-23 as constitution week:

Whereas, on September 17, 1787, thirty-nine delegates from twelve states, including James Madison, George Washington and John Blair from Virginia, signed the United State Constitution, which ratified the form and function of our nation's system of government; and

Whereas, the constitution was written to uphold individual liberty and justice for all citizens of the United States, and these principles are reinforced in its first ten amendments, known as the Bill of Rights; and

Whereas, it is important that Americans understand the essential principles of the Constitution as a document resilient enough to survive for over 200 years, and for the role it has played in our nation's beginnings and growth; and

Whereas, the 216th anniversary of this historic event allows us to reflect upon our rights and responsibilities as Americans and to celebrate the foresight demonstrated by the framers of the Constitution;

Now, Therefore, Be It Resolved that the Pulaski County Board of Supervisors do hereby recognize September 17-23, 2003 as CONSTITUTION WEEK in the County of Pulaski.

Adopted this 22nd day of September, 2003.

Board members were reminded of the ceremonies to be held on Sunday, September 28 at 2:30 p.m. for the official naming and unveiling of the Randolph Park softball fields.

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9. Citizen Comments

There were no citizen comments at this time.

10. Other Matters from Supervisors

There were no additional matters from supervisors.

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

It was moved by Dr. Fariss, 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:

- ◆ Development Property

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
- ◆ PSA Staff Issues

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.

- ◆ Existing Industry Expansion
- ◆ Business Assistance

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

Voting no: none.

Return to Regular Session

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

Action Items

On the motion of Mr. Conner, seconded by Mr. Hale and carried, the Board approved the following appointments:

Personnel:

Appointments

New River Valley Airport Commission

The Board appointed Steve DeHaven to serve as an alternate on the New River Valley Airport Commission.

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Board of Equalization

The Board requested Richard Jones, Archa Vaughan, Layne Burcham, Betsy Mabry, Lewis Pratt, Harold Ward, and Richard Guthrie be requested to consider a nomination to the Circuit Court for appointment to the Board of Equalization.

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

Voting no: none.

12. Adjournment

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board of Supervisors adjourned to reconvene on Monday, October 27, 2003, 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. Hale, Mr. Sheffey, Mr. Conner.

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator