

BOARD OF SUPERVISORS MEETING MINUTES OF FEBRUARY 23, 2004

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 23, 2004 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; Frank R. Conner, Vice Chairman; Ranny L. Akers; William E. "Eddie" Hale; and Dean K. Pratt. Staff members present included: Thomas J. McCarthy, Jr., County Attorney; Peter M. Huber, County Administrator; Nancy M. Burchett, Assistant County Administrator; David Tickner, Community Development Director and Gena T. Hanks, Clerk.

1. Invocation

The invocation was delivered by Reverend Terri Sternberg of the Trinity Lutheran Church.

2. Additions to Agenda

Mr. Huber recognized Reverend Sternberg as providing the invocation at the opening of the 2004 Virginia General Assembly.

3. Presentation of Jamestown 2007 Flag and Certificate

The presentations were rescheduled for the March 22, 2004 Board meeting.

4. Public Hearings:

- a. A request by **John M. & Bonnie B. French** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow a commercial marina as either a use by-right, or Special Use Permit (SUP) in the Agricultural District (A1).

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

Chairman Sheffey opened the public hearing on this matter.

Mr. James Nelson spoke in opposition to the location of a marina being proposed by Mr. & Mrs. French as described in item 4b of the public hearings section of the agenda. Mr. Nelson expressed specific concerns over potential overcrowding of Claytor Lake.

Ms. Marjorie Hall and Mr. Lyndell Hall expressed concern regarding a proposed marina in the area described in item 4b, citing the potential for damage to docks, as well as concerns over additional traffic in the area.

Ms. Darla Carter expressed opposition to the proposed location of the marina as described in item 4b.

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Supervisor Ranny Akers expressed concern over the potential increase in traffic on the lake.

Mr. Tickner clarified that this public hearing was to amend the Zoning Ordinance to allow a commercial marina as either a use by-right, or Special Use Permit (SUP) in the Agricultural District (A1).

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 amendment to the Zoning Ordinance as recommended by the Planning Commission.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

- b. A request by **John M. & Bonnie B. French** for consideration of a Special Use Permit (SUP) to allow a commercial marina on property identified as tax map no. 116-012-0000-002A, zoned Agricultural (A1), (13.795 acres), located on the west side of Claytor Lake, approximately 0.50 mile southeast off Clarks Ferry Rd., (Rt. 653), Draper District.

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

Chairman Sheffey opened the public hearing on this matter.

Mr. Jerry Eller and Ms. Marjorie Hall expressed concern over the potential for flooding in the area for the proposed marina.

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

Supervisor Ranny Akers directed several questions to staff related to concerns over potential erosion.

It was moved by Mr. Conner, seconded by Mr. Pratt and carried, that the Board approve the Special Use Permit, as described above and as recommended by the Planning Commission.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Pratt.
Voting no: Mr. Akers.

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EXPENDITURES:

VIRGINIA PUBLIC ASSISTANCE FUND:

Allocated Joint Administration	\$ 19,096.00
TOTAL GENERAL FUND	\$ 19,096.00

COMPREHENSIVE SERVICES ACT FUND:

Mandated Child & Family Services	\$ 1,191,905.00
TOTAL CSA FUND	\$ 1,191,905.00
GRAND TOTAL ALL FUNDS	\$ 1,211,001.00

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

e. Community Development Block Grant

Chairman Sheffey opened the public hearing. Mr. Huber explained the purpose of the hearing is to allow the county to be eligible to apply for Community Development Block Grants targeted to assisting low- and moderate-income residents. This assistance can be in the form of jobs, water and sewer lines, housing rehabilitation, or other needs. The federal and state regulations for the distribution of these funds call for at least 51 percent of those benefiting from a project be low- to moderate-income prior to receiving the assistance being provided. Further, projects previously funded under this program include sewer service to Baskerville, the construction of Alexander Road, direct loans to Magnox, initial construction of the Pulaski County Corporate Center, and water and sewer service to NR Industries and Motion Control in the River Pointe development based on the commitment of these firms to hiring low- and moderate-income individuals.

Ms. Deborah Gessner suggested using funds to assist in teaching trades to residents in the county. Mr. Huber suggested an extension of the "Hammering in the Hills" program currently being done in Giles County and approved advertising for a public hearing to be held at the March 22, 2004 Board meeting to consider projects, if feasible.

5. Highway Matters:

The Board discussed the following highway matters with Virginia Department of Transportation (VDOT) Resident Engineer David Clarke:

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a. Follow-up from Previous Board Meeting:

1. Allisonia Bridge Repairs/Replacement

Mr. Clarke advised the process has begun for replacement of the 22 ft. wide, two lane bridge in Allisonia.

2. Formal Speed Study Request – Rt. 806, Ebb Hall Road

Mr. Clarke advised of no response to date from the VDOT traffic engineer.

3. Update on Alum Spring Road Speed Limit

Mr. Clarke advised of no response to date from the VDOT traffic engineer.

4. Request for Speed Limit Increase at Dunkard's Bottom

Mr. Clarke confirmed the exact location of requested speed limit increase.

5. Farris Mines Road, Rt. 693, and Boone Furnace, Rt. 607, Intersection Signage

Mr. Clarke advised the signage has been completed.

6. Low Water Bridge at Little Creek

Mr. Clarke advised new piping would be installed when funding is available on July 1, 2004.

7. Informal speed study and "Watch for Children" Signs on Rt. 617, Neck Creek Road

Mr. Clarke advised the speed study is pending and that signs have been installed.

8. Bridge Deck Repairs on Rt. 624

Mr. Clarke advised work on the bridge deck repairs had been completed.

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b. At-Grade Railroad Crossings between Rt. 11 & Rt. 747

Staff advised of notice by VDOT of work ongoing by VDOT to eliminate two at-grade railroad crossings between Rt. 11 and Rt. 747 near Dublin, and the costs associated with the project. VDOT is requesting confirmation as to whether or not the Board would like to proceed with this project considering the change in commitment by Norfolk Southern.

Mr. Clarke was to requested to arrange a meeting between VDOT, railroad representatives and county staff to discuss matter, specifically related to the railroads position on the matter.

c. Rural Addition Status Report

Supervisor Akers offered to talk with church representatives regarding the status of Allisonia Road (Lindsey Lane).

County staff was requested to check on the status of Deerwood Drive and place an update on the March 22 Board agenda.

d. Citizen Concerns

Ms. Joyce Bell expressed opposition to the closing of a portion of the road referenced in item "8f" on the consent agenda.

Staff advised discussions have been held with representatives of the Richmond VDOT office regarding the Allisonia bridge declaration of emergency. Mr. Clarke advised it would be at least one year before new construction could begin on the bridge.

Mr. Huber expressed appreciation to Mr. Clarke for his assistance in meeting with a prospective developer in regards to entrance permit issues.

e. Board of Supervisors Concerns

Supervisor Pratt requested VDOT consider the widening of Stilwell Road and requested trimming of brush along this road.

Supervisor Pratt inquired regarding the status of a request for guardrail on Rt. 100, near Stilwell Road and Rt. 693 between Hiwassee Fire Department and Hoover Color. Mr. Clarke advised guardrail requests are ranked based on need and built as money is available.

Supervisor Akers confirmed the guardrail request in Hiwassee had been placed on the list.

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Supervisor Akers requested signage be erected warning of turning vehicles at the intersection of Hazel Hollow Road and Young Road.

Supervisor Akers requested VDOT review the Rt. 100 turning lane going south on Rt. 100 turning into the Super 8 Motel and Burger King, as well as consideration of a turning lane north on Rt. 100 onto south I-81.

Supervisor Akers requested VDOT cleanup gravel on roads due to recent weather, particularly in the curves of the roads.

Supervisor Conner requested guardrail installation on Little Creek.

Supervisor Conner requested posting of speed limit signs on Black Hollow Lane and Horseshoe Loop.

Supervisor Hale requested installation of guardrail on Alum Spring Road, specifically from the town limits to Loving Field.

Supervisor Sheffey inquired regarding the time frame for construction of Memorial Bridge. Mr. Clarke advised construction is expected to be completed in the Fall of 2004.

Supervisor Sheffey requested an update regarding the I-81 project. Mr. Clarke described two separate processes, a PPTA process where contractors can propose projects to VDOT and a Federal process documenting the need for I-81 improvements. Mr. Clarke advised a best estimate for completion of the process would be five to six years.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented a monthly report.

7. Citizens' Comments

a. Pulaski Congregate Nutrition Site Funding

Ms. Gloria Surber provided a detailed report explaining denial of additional local funding to make up for state budget cuts which reduced the ability of the agency to provide three meals per week to two meals per week. Ms. Tina King, Director of the Retired Senior Volunteer Program, also spoke and requested the Board provide additional funding to continue providing meals for the elderly.

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It was moved by Mr. Pratt, seconded by Mr. Akers and carried, that the Board approve funding in the amount of \$2,240 for March through June 2004.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

b. New River Community Action Update

Ms. Janet Johnson, Director of New River Community Action, provided a detailed report on the services provided by the Community Action to Pulaski County residents, as well as programs sponsored by the Agency.

Mr. Roy Nester requested citizens be required to purchase tags for cats in a similar manner as is done for dogs.

Mr. Ed Hoggatt encouraged the Board to hire a Code Enforcement Officer to assist in code enforcement issues.

Ms. Deborah Gessner encouraged the Board to hire a Code Enforcement Officer and expressed a desire to see a trade school in the county for carpentry and woodworking skills.

7. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

Mr. Huber noted on page 1 of the KAT that "ending funding" should read "Pending Funding".

Staff was requested to add a separate category under "III. Management Services, D. Other" to reflect Jamestown 2007)

b. Reassessment Report

Mr. Huber provided a detailed report, a copy of which is filed with the records of this meeting.

It was moved by Mr. Conner, seconded by Mr. Akers and carried, that the Board approved advertising for a public hearing to be held at the Board's March 22, 2004 meeting to receive comments on a proposed real estate rate reduction from \$.66 per \$100 to \$0.62 per \$100.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

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c. Weekly Update & Agenda Procedures

In order to fully address the sound problem in the Board Room, staff recommended and the Board concurred with the purchase of lapel microphones at a total cost of \$2,362.60 for eight wireless lapel mic units, cables and installation.

The Board approved continuing with the current procedures for sending Board members copies of minutes, etc. in the weekly update.

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. Conner, seconded by Mr. Hale and carried, the Board approved all items of consent as recommended by staff as follows:

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

a. Approval of Minutes of January 12 & 26 & February 9 & 16, 2004

The Board approved the minutes of the Board of Supervisors meetings of January 12, 26 and February 9 and 16, 2004

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 8649 through 9134, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved interoffice transfer #8 in the amount of \$53,231.46.

d. Ratification

- Safe Air Systems, Inc. Service Agreement- The Board ratified an agreement with Safe Air Systems, Inc. for service repair on the light and air truck.

e. Contracts, Change Orders & Agreements – There were no contracts, changes orders, or agreements presented.

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- f. A request from Robert C. & Jeannie D. Haga, Jr. to vacate a portion of a 40 ft. unimproved right-of-way tax map parcels 072-007-0000-0029, 30, 31, 32, 54-58, zoned Residential (R1), located off Thaxton Rd., (Rt. 649), in the Robinson District.

Staff advised a request had been received from Mr. Robert C. & Jeannie D. Haga, Jr. to vacate a portion of a 40 ft. unimproved street right-of-way adjacent to Tax Map Parcels 72-7-29 thru 32 and 54 thru 58 being approximately 270 feet. This property is located off Thaxton Road. (Route 649) near the west corporate limits of the Town of Pulaski and Brookmont Road (Route 640). A community meeting was held on February 11, 2003 to inform the residents of the request.

The Board scheduled a public hearing for the Board's March 22, 2004 meeting to consider the request for a plat vacation.

- g. Confirmation of Board Goals

It was moved by Mr. Conner, seconded by Mr. Hale and carried, that the Board approved the Board goals as contained in the following draft:

PULASKI COUNTY BOARD OF SUPERVISORS MISSION STATEMENT

It is our mission as a Board to take PRIDE in serving the citizens of Pulaski County;

To provide EXCELLENCE in employee performance, agency and commission support, intergovernmental relations and public service delivery; and

To have a VISION for the growth and development of our community.

PULASKI COUNTY BOARD OF SUPERVISORS GOALS – 2004-2007

Education

- ◆ Maintain high educational standards
- ◆ Promote GED achievement within the work force
- ◆ Fund school building needs
- ◆ Include full size gym in new buildings for community use

Public Safety

- ◆ Set speed limits at the time roads are upgraded – consider community character in setting limits.
- ◆ Improve communications for fire and sheriff's office systems
- ◆ Improve public safety radio dispatch system – consider a safer location
- ◆ Address traffic problems in the vicinity of the high school
- ◆ Consider increased participation in VDOT revenue sharing program
- ◆ Lobby General Assembly for increased secondary road funding

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Economic Development (manufacturing, business, and restaurants)

- ◆ Continue industrial recruitment efforts
- ◆ Increase diversification of the local economy
- ◆ Fill the shell building

Recreation

- ◆ Construct two to three smaller picnic shelters at Randolph Park seating 20 to 30 persons – consider high school student/staff/volunteer construction.
- ◆ Survey citizens to determine interest in an indoor Pulaski County activities center similar to what has been done in Christiansburg and Radford

Public Service

- ◆ Conduct a building space needs/reuse study
- ◆ Improve working communication and operational agreements with both towns
- ◆ Continue property clean-up particularly at entrances to the County
- ◆ Educate citizens on services being provided by the County of Pulaski through a newsletter, citizen report, internet, cable TV public access channel, newspaper articles, radio spots and interviews, student information, civic organization, formation of a speakers bureau, community meetings, direct contact with citizens, a “Your tax dollars at work” brochure, staff involvement in school civics education and participation in civic groups
- ◆ Improved coordination between Planning Commission and Public Service Authority in encouraging development in appropriate portions of the County as well as meeting the needs of existing homes
- ◆ Study county-wide uniform utility rates

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: none.

9. **Citizen Comments**

There were no citizen comments at this time.

10. **Other Matters from Supervisors**

Supervisor Akers expressed concern regarding current code enforcement as it relates to cleanup efforts in the county. County staff was requested to develop a plan addressing cleanup efforts and poll other counties to determine if a code enforcement officer is employed and obtain a job description for such an officer. The Board requested an update at its March 22, 2004 meeting.

Supervisor Sheffey suggested using Pulaski County High School buildings and trades students in assisting with the construction of new shelters in Randolph Park with staff and Glenn Reynolds to develop a layout for potential placement and design. The Board suggested providing an update to the Board prior to the making a request to the School Board for use of students and requested an update at its March 22, 2004 meeting.

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

It was moved by Mr. Akers, seconded by Mr. Pratt and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

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

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:

- ◆ Fire and Police Consolidation Proposed by Pulaski Town Council

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

Return to Regular Session

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

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.
Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

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

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

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.

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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: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Action Items

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

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers,
Mr. Pratt.

Voting no: none.

Personnel - Appointments

1. NRRA Recycling Committee

The Board approved advertising a vacancy on this committee to determine interest from the general public and place an update on the Board's March 22, 2004 agenda.

2. New River Community College Board

The Board appointed Jeanne Whitman to the New River Community College Board to fill the unexpired term of Shirley Cook. In addition, the Board appointed Gary Hancock and Joe Reed beginning July 1, 2004.

3. Board of Zoning Appeals

The Board approved nominating Don Shelor to the Circuit Court requesting appointment of Mr. Shelor to the Board of Zoning Appeals, with Charles Dehart nominated as an alternate.

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The Board directed staff to advertise the vacancy for the alternate position to determine interest from the general public and place an update on the Board's March 22, 2004 agenda.

4. NR Highlands Resource Conservation Council

The Board directed staff to advertise the vacant position to determine interest from the general public an update on the Board's March 22, 2004 agenda.

5. New River Community Criminal Justice Board

The Board reappointed Anthony Akers to the New River Community Criminal Justice Board.

6. Clean Community Council

The Board appointed Ed Jarrells of VDOT and Deborah Gessner to the Clean Community Council.

12. Adjournment

It was moved by Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors adjourned. The next regular Board meeting is scheduled for Monday, March 22, 2004 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W., in the Town of Pulaski, Virginia.

Voting yes: Mr. Hale, Mr. Conner, Mr. Sheffey, Mr. Akers, Mr. Pratt.

Voting no: None.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator