

BOARD OF SUPERVISORS MEETING MINUTES OF JULY 25, 2005

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, July 25, 2005 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; William E. "Eddie" Hale; Ranny L. Akers; 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 Danny Collins of the Fairlawn Baptist Church.

2. Recognitions

a. Featured Employees

Mr. Conner recognized Rose Marie Tickle, Treasurer, and Gena Hanks, Executive Secretary of the County Administrator's Office, as the Featured Employees for the month of August. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee. A gift certificate to Shoney's was presented to Ms. Tickle and Ms. Hanks.

b. Elmer Kester

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board recognized Mr. Elmer Kester for his efforts in refurbishing approximately 50 computers and assisting Anthony Akers in the delivery and giving away of these computers to kids in need.

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

Voting no: none.

3. Additions to Agenda

Mr. Huber advised the presentation by Mr. Levy and the New River Community College students had been postponed to August due to Mr. Levy being unable to attend the meeting.

Mr. Huber also advised the Celebration of Democracy Video would not be presented due to technical difficulties.

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4. Public Hearings:

- a. A rezoning request by **Burley W. and Shirley D. Henley** from Residential (R1) to Agricultural (A1) on property identified as tax map no. 046-006-0000-0002, located at 5701 Chicwood Dr., (5.000 acres), Massie District. General uses proposed are residential and agricultural (keeping of livestock and horses, classified as Farming by Article 1 of the Zoning Ordinance). The property is designated as Residential on the Future Land Use Map as set forth in the Pulaski County Comprehensive Plan, and development is proposed at a density not to exceed 1 dwelling unit per 30,000 square feet.

Mr. Sheffey read the details of the public hearing and called on Mr. Tickner for any staff comments. Mr. Tickner explained the purpose of the public hearing was to solicit input from the public regarding proposed changes to the Zoning Ordinance as noted above. Mr. Tickner presented the staff report and advised the Planning Commission recommended denial of the rezoning request.

Mr. Sheffey opened the public hearing.

Mr. Burley Henley provided details regarding the rezoning request and requested the Board approve the rezoning.

Supervisor Sheffey suggested the residents of Chicwood Estates meet to discuss the matter.

Mr. Jim Peters, Vice President of the Chicwood Estates Homeowners Association, spoke in opposition to the requested rezoning and advised of several lots in the subdivision that are grandfathered and that have had horses and cattle on the property.

Mr. John Burkett spoke in opposition to the requested rezoning and advised he would be willing to discuss the matter with Mr. Henley and the remaining residents of the subdivision.

Mr. Don Adams spoke in opposition to the requested rezoning. He advised he had had cattle owned by Mr. Henley to come onto his property.

Mr. Roy Hunter spoke in opposition to the requested rezoning.

Mr. Henley clarified he had electric wire fencing to close the gap to keep his cattle from going onto Mr. Adams property.

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Supervisor Conner clarified that the issue being considered was whether to approve or deny the rezoning request.

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

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board denied the rezoning request, as described above, and as recommended by the Planning Commission. The Board further requested the Zoning Administrator notify the applicant regarding the possible nonconforming status of his uses.

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

Not present: none.

b. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:

- An amendment to Article 2-8.3, **Agricultural (A1)**, Article 3-8.4, **Conservation (C1)**, Article 5A-9.4 **Residential (R)**, Article 5B-8.5 **Residential (R1)**, Article 5C-8.4 **Residential (R2)**, Article 5D-8.4 **Residential (R3)**, Article 5F-7.3 **Rural Residential (RR) Districts, Height Regulations**, to allow an accessory structure to be taller than a principle dwelling.
- Amendments to **Article 1 Definitions, Use and Design Standards**, to include definitions **Agricultural Products Sales**.
- An amendment to Article 2-1, **Agricultural (A1) District**, uses permitted by right, to allow **Agricultural Products Sales** as a use by-right.
- An amendment to Article 3-1, **Conservation (C1) District**, uses permitted by right, to allow **Agricultural Products Sales** as a use by-right.
- An amendment to Article 4-1, **Commercial (CM1) District**, uses permitted by right, to allow **Agricultural Products Sales** as a use by-right.
- An amendment to Articles 2-5, Setback Requirements, **Agricultural (A1) Zoning District**, Article 5A-5, Setback Requirements, **Residential (R) Zoning District**, Article 5B-5, Setback Requirements, **Residential (R1) Zoning District**, Article 5C-5, Setback Requirements, **Residential (R2) Zoning District**, and Article 5D-5, Setback Requirements, **Residential (R3) Zoning District**, to allow special setback provisions for pre-existing lots with small dimensions.

Mr. Sheffey read the details of the public hearing and called on Mr. Tickner for any staff comments. Mr. Tickner explained the purpose of the public hearing was to solicit input from the public regarding proposed changes to the Zoning Ordinance as noted above. Mr. Tickner presented

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the staff report. Mr. Tickner advised the Planning Commission recommended approval of the rezoning request.

Mr. Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the zoning text amendments, as described above, and as recommended by the Planning Commission, with said amendments to include omitting the 1,200 square foot requirement for all districts.

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

Voting no: none.

c. Consideration of a **Grant application to USDA Rural development to fund the purchase of automation software for the Pulaski County Library System.**

Mr. Huber explained in detail the purpose of the hearing was to receive citizen comments on Pulaski County's application for rural development funds to fund the purchase of automation software for the Pulaski County Library System.

Chairman Sheffey opened the public hearing. There were no citizen comments and the public hearing was closed.

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board approved the county's application for \$80,000 in Rural Development funds to purchase new automation software for the Pulaski County Library System.

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

Not present: none.

d. Creation of Pulaski County Wireless Integrated Network Authority

Mr. Huber explained in detail the purpose of the hearing was to receive citizen comments on the creation of the Pulaski County Wireless Integrated Network Authority and that state law prohibits localities from providing internet service directly to residents except through an authority.

Mr. Sheffey opened the public hearing.

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Mr. Richard Adams spoke in favor of the request and expressed appreciation to the Board for their efforts in bringing broadband to communities in the county that do not have wireless access.

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

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved the creation of the Pulaski County Wireless Integrated Network Authority including the adoption the following Resolution Creating the Pulaski County Wireless Integrated Network Authority and Articles of Incorporation of the Pulaski County Wireless Integrated Network:

**A RESOLUTION CREATING
THE PULASKI COUNTY WIRELESS
INTEGRATED NETWORK AUTHORITY**

WHEREAS, a meeting of the Board of Supervisors of Pulaski County, Virginia, was held on the 25th day of July 2005. This Resolution was adopted upon motion duly made and seconded;

WHEREAS, for economic development, the Pulaski County Board of Supervisors has made a determination that a Wireless Integrated Network Authority needs to be created to provide high speed data service and internet access service to local businesses, local government and the public.

NOW, THEREFORE, BE IT RESOLVED, that the Pulaski County Wireless Integrated Network Authority (hereinafter the Authority) be created pursuant to the Virginia Wireless Service Authorities Act, Chapter 54.1 Section 15.2-5431.1 et. seq.

The Articles of Incorporation of the Authority shall be as follows:

**ARTICLES OF INCORPORATION OF THE
PULASKI COUNTY WIRELESS INTEGRATED NETWORK**

The Pulaski County Board of Supervisors pursuant to Virginia Code Section 15.2-5431.1 et. seq. hereby establishes and adopts these Articles of Incorporation of the Pulaski County Wireless Integrated Network.

- (a) The name of the Authority is "Pulaski County Wireless Integrated Network Authority";
- (b) The address of its principal office is: 143 Third Street, NW, Pulaski, Virginia, 24301.

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- (c) The Authority shall be physically located in the County Administration Building in Pulaski, Virginia.
- (d) The authority shall consist of five members, each of whom shall reside in a different magisterial district of Pulaski County. The names, address, and terms of office are as follows:

<u>Name of Member</u>	<u>Address</u>	<u>Term of Office</u>
Carolyn H. Smith	4793 Clarks Ferry Road, Draper	4 years
John R. Wenrich	5539 Staff Village Drive, Dublin	3 years
James R. Sandidge	131 11 th St., Pulaski	2 years
Danny S. Bailey	4581 Wilbur Circle, Dublin	1 year
Timothy A. Jones	5427 Cloyds Wood Drive, Dublin	1 year

The terms of office of the members shall begin on the date the certificate of incorporation or charter is issued by the State Corporation Commission. The successor of each member shall be appointed by the Board of Supervisors of Pulaski County for a term of four years. The Pulaski County Board of Supervisors' Chairman or his designee shall be appointed by the Pulaski County Board of Supervisors to the Authority. Any person who is appointed to serve the remaining term of his predecessor, however, shall serve only for the unexpired term of office. Members shall hold office until their successors have been appointed, and they may succeed themselves.

- (e) The purpose of the authority is: The authority is created to exercise all powers conferred by the Virginia Wireless Service Authority Act, Chapter 54.1 Section 15.25431.1 et. seq. and Article 5.1 (Section 56.484.7:1, et. seq.) of Chapter 15 of Title 56 of the *Code of Virginia*, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors, after duly advertising the Resolution and Notice of Hearing pursuant to Virginia Code Section 15.2-5431.5 does hereby adopt this Resolution creating the Pulaski County Wireless Integrated Network Authority.

This Resolution approved this 25th day July, 2005, by the Pulaski County Board of Supervisors.

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

Voting no: none.

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5. Highway Matters:

Mr. David Clarke, VDOT Resident Engineer, met with the Board and discussed the following matters:

a. Follow-up from Previous Board Meeting:

1. Review of Highway Matters Section of Key Activity Timetable (KAT)

The Key Activity Timetable was reviewed and updates made accordingly as follows:

	Follow-up from Previous Board Meetings:
July 05/VDOT unsure of completion date	1. Memorial Bridge Update & Rt. 11 Entrance Sign (consider median)
6/05 (on schedule)	2. Allisonia Bridge Repairs/Replacement
Summer/05/slow process	3. Low Water Bridge at Little Creek (environmental clearance - ok'd)
Est. \$100,000/high est.	4. PCHS Turn Lane cost estimate for revenue sharing funding
Jan. 05/over \$50,000	5. Rt. 100 Turn Lane (VDOT advised costs to be more than \$100,000
(VDOT reviewing/primary road funds	a. McDonalds
(VDOT reviewing/primary road funds/no	b. Southbound onto South I-81 ramp
funds	6. Rt. 711, Mines Road Advertisement
Oct. 05/Under const.	7. Robinson Tract Road Warning Signs
Signs ordered	8. Bridge on Rt. 100 North
\$1 million est. cost/checking inspect. Report	9. Dunkard's Bottom Drainage
Bids back/Need Trans Bd. approval	10. Rt. 11, "Watch for Turning Vehicle" signage
To be put up	11. Crossbow Drive Speed Limit Posting & Watch for Children Signage
VDOT to conduct informal study/checking	12. Rt. 667, Linkous Ferry Road, Potholes
signage needs	13. Rt. 778, Dallas Freeman Road, Repairs
VDOT to review	14. One Lane Bridge Warning Signs throughout county
VDOT to review	15. Gravel in Fairlawn & Dublin
VDOT to review	16. Installation of Signage on Rt. 11 & I81 to identify NRCC & Old Dominion Un.
VDOT to review	17. Rolling Hills Subdivision Posting of Speed Limits
VDOT to review	18. Paving in Snowville Areas where not recently paved
VDOT to review	19. Big Valley Road Speed Limit posting
VDOT to determine if qualifies	20. Honaker Road Drainage Problem
VDOT to review	21. Drainage Runoff - 5673 Tanglewood Drive
VDOT to review	22. Pothole at Rt. 600 Entrance to Sun Trust Bank
VDOT to review	23. Traffic Light at Rt. 11 & Rt. 611
VDOT to review	24. Guardrail on Rt. 612 in Parrott (Requested by Barry Albert 639-1749)
VDOT to review	COMPLETED ITEMS
COMPLETED	1. Riverbluff Subdivision Improvements
COMPLETED	2. Wilderness Road Shoulder Repairs

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COMPLETED	3. State Park Road Repairs
COMPLETED	4. Rt. 634 Scraping Update
COMPLETED	5. Rt. 114 Bridge Markers Removal
COMPLETED	6. Riverhills Townhomes Road Issues
COMPLETED	7. Rt. 672, Lowman's Ferry Road, Drop Off from Pavement
COMPLETED	8. Request to Cut Brush Back on Old. Rt. 11 at the Bagging Plant Intersection
COMPLETED	9. Rt. 100 Deceleration lane into New Dublin Presbyterian Church
COMPLETED	10. Hatcher Road Improvements
COMPLETED	11. Locust Drive - Request for Signage, Etc.
COMPLETED	12. Portion of Kent Farm Road - Rural Rustic Road Eligibility determination
COMPLETED	13. Manns Drive Brush Cutting
COMPLETED	14. Hazelwood Drive Paving Requirements
COMPLETED	15. Brush Cutting - Fariss Mines Road from Boones Furnace Rd.
COMPLETED	16. New River Post Office Sinkhole
COMPLETED	17. Rt. 11 Passing Zone at Stone Ridge Subdivision
COMPLETED	18. Dunkard's Bottom School Bus Stop Signage
COMPLETED	19. Delton Road Culvert Status (Pending environmental clearance)
COMPLETED	20. Robinson Tract Road at Bridge
COMPLETED	21. Horseshoe Loop & Black Hollow Lane Speed Limit Signage
COMPLETED	22. School Signs
COMPLETED	23. Belspring Road Removal of Passing Zones
COMPLETED	24. Exit 101 Southbound Ramp Turning Radius
COMPLETED	25. Guardrail Listing - Add Road Names and District
COMPLETED	26. Cloyd's Mountain Road Improvements (potholes & breakage)
COMPLETED	27. Pothole at Rt. 600 & 114, coming from Belspring
COMPLETED	28. Dallas Freeman Road, Rt. 778, Spot Widening
COMPLETED	29. Drainage Issues at end of Memorial Bridge
COMPLETED	30. Julia Simpkins Road Embankment
COMPLETED	31. Addition of Bike Lanes to State Maintained Roads
COMPLETED	32. Hazel Hollow Road Potholes
COMPLETED	33. Max Creek Bridge, Rt. 693, Pothole Repairs
COMPLETED	34. Rt. 11 Asphalt Patching
COMPLETED	35. Rt. 693 Request for Speed Study
COMPLETED	36. Rt. 11/Morehead Lane Speed Study
COMPLETED	37. Formal Speed Study on Portion of Rt. 626, Hazel Hollow Road
COMPLETED	38 Brush Cutting Along Bank at Fairview Home
COMPLETED	39. Hatcher Road Pothole Repairs
COMPLETED	40. Rt. 11 Speed Limit at Pulaski Elementary School
COMPLETED	41 Rt. 738, Robinson Tract Road, shoulder reconstruction
COMPLETED	42. Rt. 11/114 Potholes

Mr. Sheffey inquired regarding the location of a County entrance sign on Memorial Bridge. VDOT agreed to look at the option of placing the sign in the median at Hazel Hollow Road and referred to the current entrance sign into the Town of Pulaski

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which is located in the median. Mr. Clarke advised that placing the sign in the median could be considered, as long as there is not a safety issue.

Mr. Huber reconfirmed VDOT's commitment to provide a written status report as a substitute for a verbal review at the Board meeting, with the intentions of the report to be to provide the Board with a document that can be referred back to when citizens ask for information.

2. Rt. 693 Speed Study

Mr. Clarke advised VDOT did not recommend for posting.

b. Request for Warning Signs – New River

Mr. Huber advised county staff was working with VDOT and the Department of Game and Inland Fisheries (DGIF) regarding possible signage due to the recent drownings that have occurred in this area.

By consensus, the Board authorized county staff to continue to work with DGIF regarding possible signage due to the recent drownings. Staff was directed to ask the Institute of Government to poll other localities regarding other similar signage.

c. Request for Guardrail – Langhorn Road, Rt. 711

The Board advised VDOT of a request for guardrail from Mr. Leroy Early on Rt. 711, Langhorn Road, in Pulaski.

d. Gravel in Fairlawn and Dublin

VDOT was advised of a significant amount of gravel in the curbing at the intersection of Route 11 and Route 114, as well as in the exit ramps of the Route 100 and Route 100 intersections.

Mr. Clarke advised the cleanup of the gravel was the responsibility of the Sheetz store; however, he agreed to have VDOT review the matter and provide an update at the August Board meeting.

e. Rt. 114 County-line Signage

Mr. Huber advised of a problem with the apparent misplacement of the county line signage on Route 114, with the signs being placed several yards inland on the Pulaski County side of the bridge causing confusion as to law enforcement jurisdiction for the bridge and the river access area

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under the bridge. The Board requested VDOT relocate the sign to the middle of the bridge.

f. Paving List

Mr. Clarke was requested to provide the Board with a current listing of roads scheduled for paving.

g. New River Community College Signage

Mr. Huber advised a request had been received for installation of signage on Route 11 and Interstate 81 to identify New River Community College and Old Dominion University Teletechnet in a similar manner as is the case for Radford University and Virginia Tech.

Mr. Clarke agreed to review the request and provide an update to the Board.

h. Decision Re: Rural Additions

Mr. Huber advised a decision would need to be made by the Board to either revise the subdivision ordinance to require that private roads be built to VDOT standards or forgo use of Rural Addition funding.

The Board directed county staff to place on the August Planning Commission agenda a request for the commission to provide a recommendation on this matter back to the Board for consideration at its August 22 Board meeting.

i. Rural Additions Status Report

The Board reviewed the current listing of rural additions.

j. Four Seasons Lane Rural Addition

The Board reviewed a request from Mr. and Mrs. George Patneau residents of Four Seasons Lane to consider their private road for rural addition status. Mr. Huber noted it appears the right of way is 40 feet wide, and there are three homes on the road which would qualify for rural addition status with one exception and that after talking with John Jones of VDOT there is a private road between Jennings Road (State Maintained) and Four Seasons Lane (Private Road) that is not state maintained. Thus, that road (Dolphin Lane) would also need to be requested by the homeowners for rural addition status.

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By consensus, the Board approved not adding the road to the rural addition list due to complication with the privately maintained road.

k. Posting of Speed Limits – Rolling Hills Subdivision

Mr. Huber presented a request from Mr. & Mrs. Roy Taylor of 5601 Locust Drive, Dublin regarding a speed limit posting on Locust Drive in the Rolling Hills Subdivision, as well as a request for installation of Watch for Children signage.

Mr. Clarke agreed to review the matter and provide an update at the August Board meeting.

l. Kudzu Problem Areas

Mr. Huber advised of kudzu problems areas on Route 11 between Dublin and Fairlawn and the intersection of Route 100 and Route 611. Mr. Clarke agreed to review the matter as part of the spraying program conducted by VDOT.

m. Citizen Concerns

There were no citizen comments.

n. Board of Supervisors Concerns

Supervisor Akers requested paving in Snowville in areas where paving has not been done in a while.

Supervisor Pratt requested guardrail on Honaker Road, just past Milstead Place.

Supervisor Pratt requested a 25 mph speed limit posting on Big Valley Road. Mr. Clarke agreed to conduct an informal speed study and determine if the road qualifies as a subdivision street.

Mr. Clarke agreed to have VDOT review a drainage problem at 2437 Honaker Road.

Supervisor Sheffey advised of drainage runoff at 5673 Tanglewood Drive.

Supervisor Sheffey advised of a pothole on Rt. 600 at the entrance to Sun Trust Bank.

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Supervisor Sheffey requested VDOT recommendations regarding a traffic light at Rt. 11 and 611.

Supervisor Sheffey inquired regarding brush cutting in the county. Mr. Clarke advised VDOT was currently conducting a second round of brush cutting in the county.

6. Treasurer's Report

Treasurer Rose Marie Tickle provided the Board with a copy of the Treasurer's monthly report

7. Citizens' Comments

Mr. Jim Whited requested the county administrator reconfirm commitment to the August 15 schedule for the bid application for mobile home park water and sewer. Mr. Huber advised the engineers have indicated an advertisement date of August 21, instead of August 15.

8. Presentation – Proposed Putt-Putt at Randolph Park

Mr. Huber advised the presentation by Mr. Levy and the New River Community College students had been postponed to August due to Mr. Levy being unable to attend the meeting.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed in detail the Key Activity Timetable.

Supervisor Sheffey requested the target date for the "Church and School exhibits..." be changed to December 05, as well as changing the target date for "Study county-wide uniform utility rates" to September 05.

b. Appointments

Mr. Sheffey noted action on appointments would be taken in the Closed Session portion of the meeting.

c. Celebration of Democracy

Due to technical difficulties, Mr. Huber advised the video would not be shown.

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10. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following items of consent.

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

a. Approval of Minutes of June 27, 2005& Amendment to October 22, 2001 Board Minutes

The Board approved the June 27, 2005 minutes, and also amended the October 22, 2001 minutes to clarify the Board's action denying the Burley Henley Special Use Permit.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 17347 through 17694, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #1 totaling \$53,609.56 and general fund appropriations as follows:

General Fund Resolution #26	
Revenues	
023060-0200 – State Board of Elections Reimbursement	\$6,210
024040-1200 – State Fire Programs Additional Allocation	13,524.00
TOTAL	\$19,734.00
Expenditures	
012250-3320 – Operations Maintenance Service Contracts	\$ 837.00
012410-4100 – Treasurer’s Office Data Processing	16,870.00
013100-1310 – Electoral Board Part-time Wages (Election Officials)	6,210.00
013200-5850 – Registrar Other Miscellaneous	1,263.00
021800-6012 – Law Library Books	1,380.00
021900-5210 – Victims Assistance Program	532.00
022100-5210 – Comm. Attorney Postage	646.00
032200-5650 – Draper Fire Dept. State Fire Funds	2,254.00
032220-5650 – Fairlawn Fire Dept. State Fire Funds	2,254.00
032230-5650 – Hiwassee Fire Dept. State Fire Funds	2,254.00
032240-5650 – Newbern Fire Dept. State Fire Funds	2,254.00
032250-5650 – Snowville Fire Dept. State Fire Funds	2,254.00
032260-5650 – Twin Comm. Fire Dept. State Fire Funds	2,254.00

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033210-7001 – NRV Regional Jail	22,774.00
042400-5130 – Landfill Sewer Services	6,330.00
043200-1170 – General Properties Salaries & Wages	12,416.00
043200-1391 – General Properties Part-time Wages	6,802.00
043200-3170 – General Properties Professional Services	11,443.00
043200-5110 – General Properties Electrical Services	1,177.00
043200-3320 – General Properties Maintenance Services Contracts	3,757.00
043200-5230 – General Properties Telecommunications	3,019.00
043200-6005 – General Properties Janitorial Supplies	4,118.00
043200-8101 – General Properties Machinery & Equipment	49.00
053510-5230 – Va. Juvenile Crime Control Telecommunications	224.00
071110-3210 – Recreation Officials	224.00
07132-1394 – Randolph Park Salaries & Wages	21,018.00
071320-5110 – Randolph Park Electrical Services	8,784.00
071320-5230 – Randolph Park Telecommunications	2,417.00
071320-5850 – Randolph Park Other Miscellaneous	400.00
071380-3170 – County Celebration Other Professional Services	2,600.00
081200-5230 – Community Development Telecommunications	1,022.00
081400-1111 – Zoning/Planning Board Salaries	13,380.00
081510-5420 – Industrial Park Maintenance Lease/Rental	265.00
092110-5836 – Revenue Refunds Other Agencies	3,801.00
093000-9211 – Transfers to Other Funds – Transfer to Treasurer's Fund	502.00
TOTAL	\$172,915.00
School Fund Resolution #31	
Revenues	
3-205-15020-0100 – Rental of Property	\$ -1,030.00
3-205-16120-0600 – Student Teacher Fees	-500.00
3-205-16120-1100 – Sub Teacher Fees	-29,585.75
3-205-18030-0300 – Refund/Overpayment	-95,737.45
3-205-18030-0310 – Comp. Serve. Reimbursement	-7,587.48
3-205-18030-0330 – School Activity Reimbursement	-13,725.12
3-205-18991-0200 – Property Damage	-45.00
TOTAL	\$-148,210.80
Expenditures	
4-205-061100-6013-200-100 – Educational and Recreational	33,000.00
4-205-062120-5800-900 – Superintendent Misc.	86,548.00
4-205-063100-8105-900 – Replacement Motor Vehicle	2,452.00
4-205-064200-5800-900 – Operations Misc.	26,210.80
TOTAL	\$148,210.80
Internal Service Fund #2	
Revenues	

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016510-0100 – Interoffice Transfers Telephone Charges Departments	\$3,651.00
016400-0300 – Interoffice Transfers Fuel Charges	45,329.00
TOTAL	\$48,980.00
Expenditures	
012570-5230 – Communications – Telecommunications	\$3,651.00
012560-6008 – County Garage Vehicle & Powered Equipment Supplies	45,329.00
TOTAL	\$48,980.00
Transfer #5	
Expenses	
4-205-061100-1121-200-200-978 Flow Through Salaries	\$-100,000.00
4-205-061100-1121-200-100 Instruction Salaries	100,000.00
4-205-066600-8102-900 – Facilities Replacement Furniture	-57,000.00
4-205-064200-5800-900 – Operations Misc.	57,000.00
TOTAL	-0-
School Construction Fund #1	
Revenues	
041040-0600 – Other Financing Proceeds (SNAP)	\$4,336,935.00
015010-0200 – Interest Earned on Investments	104,227.55
Balance	350,679.51
TOTAL	\$4,791,842.06
Expenditures	
66500-8260 – New Elementary School Construction	\$4,791,842.06
TOTAL	\$4,791,842.06

d. Ratification - Virginia Domestic Violence Fund

The Board ratified acceptance of \$50,000 for the Virginia Domestic Violence Fund grant.

e. Contracts, Change Orders & Agreements

There were no contracts or change orders presented at this time.

f. Personnel Changes

The Board reviewed a listing of recent personnel changes.

g. Resolution Recognizing Anniversary of the Signing of the Americans with Disabilities Act

The Board adopted the following resolution marking the 15th Anniversary of the signing of the Americans with Disabilities Act (ADA) is suggested as a way of supporting those with disabilities. In addition, 2005 also marks the 20th Anniversary of the Virginians with Disabilities Act:

**RESOLUTION RECOGNIZING 15TH
ANNIVERSARY OF THE AMERICANS WITH
DISABILITIES ACT**

WHEREAS, it is important for the County of Pulaski to ensure equal opportunity for all of its citizens; and

WHEREAS, March 2005 marked the 20th anniversary of the Virginians with Disabilities Act, which declared that "it is the policy of this Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment"; and

WHEREAS, July 26, 2005 marks the 15th anniversary of the Americans with Disabilities Act, which is a landmark civil rights law banning discrimination against the nation's 54 million people with disabilities; and

WHEREAS, these two laws work to ensure that people with disabilities are free from discrimination; treated with respect and dignity, move freely about the community, and live in the least restrictive environment; and

WHEREAS, work remains to be done throughout the city, state and federal government to fulfill the promise of both the Virginians with Disabilities Act and the Americans with Disabilities Act; and

WHEREAS, this anniversary is an appropriate occasion to reflect on the strides forward that have been made and on the work remaining to be done; and

NOW, THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors on this 25th day of July, 2005 recognize 2005 as the 20th Anniversary of the

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Virginians with Disabilities Act and the 15th Anniversary of the Americans with Disabilities Act, and call this observance to the attention of all County of Pulaski citizens.

h. Noise Ordinance Exception

The Board received a letter from Kendall Clay advising the construction of the Lowes building is projected to be a 24-hour per day operation and would require an exemption from the Noise Ordinance.

The Board granted this exemption through December 20, 2005, based on the distance from nearby homes and the degree of hardship resulting from the enforcement of the provisions of the ordinance.

i. James Hardie Proposed Agreement

The Board adopted a financing agreement between Pulaski County, the Industrial Development Authority and the Town of Pulaski, a copy of which is filed with the records of this meeting.

j. SW Virginia Legal Aid Society, Inc. Board Presentation

Mr. Huber presented a request from the Society for a ten-minute presentation during the August 22, 2005 Board meeting. The Board approved the request and directed staff to arrange for the presentation.

k. Sponsorship of C. E. Richardson Grant Supporting Court Services

The Board was presented with a request for the county to serve as a sponsor and fiscal agent for a C. E. Richardson grant supporting the work of the Pulaski County Court Services Unit. The Board approved this request.

l. Contracts Policy

The Board approved the following policy governing the administration and approval of contracts being paid by the Board:

Policy Governing County Obligations

Contracts to be paid from funds appropriated by the Pulaski County Board of Supervisors or Pulaski County Public Service Authority are governed by the following procedural requirements in order to be eligible for payment:

1. Contract procured in accordance with the Pulaski County procurement policy.
2. A copy of the contract forwarded to the County Attorney for review while in draft form.
3. Unless specifically approved by the County Attorney, all contracts must include standard clauses governing non-appropriations and dispute resolution.
4. Copy of procurement documents, (bid or request for proposal solicitation, specifications, notifications, etc.) provided to the Administrator's Office for placement on the Board of Supervisors or PSA Board agenda for approval and filing with the accounts payable clerk to ensure payment in accordance with contract specifications.
5. With the exception of employment contracts, this policy include all single and multi-year agreements including but not limited to leases, lease-purchase agreements, purchase agreements, grants or loans agreements and/or other documents incurring an obligation by the County.

11. Citizen Comments

There were no citizen comments.

12. Other Matters from Supervisors

There were no other matters presented by the Board of Supervisors.

13. Closed Meeting

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

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A closed meeting is requested pursuant to Section 2.2-3711.A.1.3.5.7 of the 1950 Code of Virginia, as amended, to discuss personnel, legal, land acquisition/disposition, and prospective industry matters:

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:

- Fairlawn School Property & Traffic Situation
- New River Industrial Park Property
- Bob White Building Improvements
- New River Valley Competitiveness Center

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
- Merit Increases

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.

- Incentives Offerings
- Restaurant Development

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:

- Financial Assistance

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

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Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Conner, 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.

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.

Personnel Matters:

Appointments

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

1. County-wide Festival Committee

The Board directed staff to invite participation by existing committees.

2. PEP Steering Committee

The Board appointed Perry Cole of the Virginia Employment Commission to the PEP Steering Committee.

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3. Pulaski County Wireless Integrated Network Authority

The Board directed staff to contact the following individuals to determine their interest in serving, and upon acceptance, are duly appointed: Tim Jones, Cloyd District; Dan Bailey, Massie District; John Wenrich, Ingles District; Carol Smith, Draper District; and Jim Sandidge, Robinson District.

The Board agreed to schedule the Administrator's annual evaluation for a date in September.

14. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Hale and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for Monday, August 22, 2005 at 7:00 p.m. in the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator