

BOARD OF SUPERVISORS MEETING MINUTES OF DECEMBER 19, 2005

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, December 19, 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 Vicki Houk of Christ Episcopal Church.

2. Featured Employees

Mr. Sheffey recognized Shannon White of the Treasurer's Office and Dane Hudson of the Commissioner of Revenue Office, as the Featured Employees for the month of January. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee, as well as presented each employee with a Shoney's gift certificate.

3. Additions to Agenda

Mr. Huber advised of an additional item to the "Items of Consent" regarding regulation of sexually oriented businesses and a request to adopt such an ordinance on an emergency basis.

4. Public Hearings:

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

- Amendments to Article 1, Definitions, defining **retail sales, rental and servicing of construction and agricultural equipment.**
- Amendments to Article 15 of the Zoning Ordinance, which regulates **signs**; specifically regarding shopping center signs, materials a sign may be constructed of, special exceptions for sign height, signs requiring a Special Use Permit, and allowance for signage in the Planned Industrial (PID) Zoning District.
- An amendment to Article 2, Agricultural (A1), Article 4, Commercial (CM1) Zoning District, and Article 7, Industrial (I1) Zoning District, to allow **retail sales, rental and servicing of construction and agricultural equipment** as a use by-right or by Special Use Permit.

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Mr. Sheffey read the details of the public hearing and called on Mr. Tickner for staff comments. Mr. Tickner explained the purpose of the public hearing was to solicit input from the public regarding the proposed zoning text amendments. Mr. Tickner advised the Planning Commission recommended approval of the ordinance amendments as presented.

Mr. Sheffey opened the public hearing. There were no citizen comments. Supervisor Pratt questioned the definition under "Sales, rental and servicing of construction and agricultural equipment", specifically citing concerns over the restrictions that would be placed on some farm operators who perform service to construction equipment. Mr. Tickner suggested modifying the proposed wording stating this would only apply to "primary use". There being no further comments, the public hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the zoning ordinance text amendments as recommended by the Planning Commission, with a change adding the word "primarily" in two parts of the definition to clarify that this would be the primary use for the property.

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

Voting no: none.

b. An ordinance providing for the implementation of the 2004-05 changes to the personal property tax relief act of 1998.

Mr. Sheffey read the details of the public hearing and called on Mr. Huber for staff comments. Mr. Huber advised the proposed change was mandated by the state in order to comply with the state changes as it relates to the handling of reimbursements for car tax relief.

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

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

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AN ORDINANCE TO PROVIDE FOR THE IMPLEMENTATION OF THE
2004-2005 CHANGES TO THE PERSONAL PROPERTY TAX RELIEF ACT OF
1998

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code Sections 58.1-3523 *et seq.* ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005) and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS, these legislative enactments require the County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, these legislative enactments provide for the appropriation to the County, commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Pulaski County, Virginia, as follows:

Section 1. Purpose; Definitions; Relation to other Ordinances. (a) The purpose of this Ordinance is to provide for the implementation of the changes to PPTRA effected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia.

(b) Terms used in this Ordinance that have defined meanings set forth in PPTRA shall have the same meanings as set forth in Virginia Code Section 58.1-3523, as amended.

(c) To the extent that the provisions of this Ordinance conflict with any prior Ordinance or provision of the County regulations, this Ordinance shall control.

Section 2. Method of Computing and Reflecting Tax Relief. (a) For tax years commencing in 2006, the County adopts the provisions of Item 503.E of the 2005 Appropriations act, providing for the computation of tax relief as a specific dollar amount to be offset

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against the total taxes that would otherwise be due but for PPTRA and the reporting of such specific dollar relief on the tax bill.

(b) The Board shall, by resolution set the percentage of tax relief at such a level that it is anticipated fully to exhaust PPTRA relief funds provided to the County by the Commonwealth.

(c) Personal property tax bills shall set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the general manner in which relief is allocated.

Section 3. Allocation of Relief among Taxpayers. (a) Allocation of PPTRA relief shall be provided in accordance with the general provisions of this section, as implemented by the specific provisions of the County's annual budget relating to PPTRA relief.

(b) Relief shall be allocated in such manner as to eliminate personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less.

(c) Relief with respect to qualifying vehicles with assessed values of more than \$1,000 shall be provided at a percentage, annually fixed and applied to the first \$20,000 in value of each such qualifying vehicle, that is estimated fully to use all available state PPTRA relief. The percentage shall be established annually.

Section 4. Transitional Provisions. (a) Pursuant to authority conferred in Item 503.D of the 2005 appropriations Act, the County Treasurer is authorized to issue a supplemental personal property tax bill, in the amount of 100 percent of tax due without regard to any former entitlement to state PPTRA relief, plus applicable penalties and interest, to any taxpayer whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid on September 1, 2006, or such date as state funds for reimbursement of the state share of such bill have become unavailable, whichever earlier occurs.

(b) Penalty and interest with respect to bills issued pursuant to subsection (a) of this section shall be computed on the entire amount of tax owed. Interest shall be computed at the rate provided in the Pulaski County personal property tax ordinance from the original due date of the tax.

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

Voting no: none.

- c. An amendment to and revision of the Adelphia cable franchise agreement and consent to assignment of the franchise agreement to Comcast.

Mr. Sheffey read the details of the public hearing and called on Mr. Huber for staff comments regarding the Franchise Agreement and subsequent Transfer Consent Resolution. Mr. Huber advised the extension implements a franchise fee increase from 3% to what is becoming a national standard of 5%, sets aside an additional educational channel and ensures cooperation with Charter Cable in establishing a coordinated signal on which to broadcast public access channel information.

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. Akers and carried, the Board approved the Franchise Extension Agreement, and adopted the following Consent to Assignment and Change of Control Resolution:

CONSENT TO ASSIGNMENT AND CHANGE OF CONTROL

WHEREAS, a cable television franchise has been granted by the County of Pulaski, VA ("Franchise Authority") to an entity ("Franchisee") that is an indirect subsidiary of Adelphia Communications Corporation ("Adelphia"); and

WHEREAS, Adelphia is currently in Chapter 11 bankruptcy proceedings; and

WHEREAS, pursuant to an Asset Purchase Agreement dated April 20, 2005 between Adelphia and Time Warner NY Cable LLC. ("TWNKY"), the right to purchase the Franchisee cable system will be assigned by TWNY to a wholly owned subsidiary of TWNY, Cable Holdco Exchange III LLC which will purchase the cable system and franchise (the "Adelphia Transaction"); and

WHEREAS, pursuant to an Exchange Agreement dated April 20, 2005 between Time Warner Cable Inc. and Comcast Corporation ("Comcast"), 100% of the equity securities in the Comcast subsidiary C-Native Exchange I, LLC will be exchanged for 100 percent of the equity securities of Cable Holdco Exchange III LLC whereby the entity

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will become a 100 percent indirect subsidiary of Comcast (the "Exchange Transaction"); and

WHEREAS, Franchise Authority has concluded its approval is necessary for the above described Adelpia Transaction and Exchange Transaction and has been provided an FCC Form 394 and related information for such Transactions; and

WHEREAS, the Franchise Authority is willing to consent to the Adelpia Transaction and the Exchange Transaction described above.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

SECTION 1. The foregoing recitals are approved and incorporated herein by reference.

SECTION 2. The Franchise Authority consents to the Adelpia Transaction described herein.

SECTION 3. The Franchise Authority consents to the Exchange Transaction described herein.

SECTION 4. This Resolution shall be deemed effective upon adoption.

SECTION 5. This Resolution shall have the force of a continuing agreement with the Franchise and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of the Franchisee.

PASSED, ADOPTED AND APPROVED this 19th day of December, 2005

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

Voting no: none.

5. Highway Matters:

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

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a. Follow-up from Previous Board Meeting:

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

The Key Activity Timetable was reviewed in detail and no changes were made.

Supervisor Akers inquired regarding guardrail installation on Hazel Hollow Road. Mr. Clarke and Supervisor agreed to visit the site and confirm the exact location of the requested guardrail.

Mr. Clarke advised Wilderness Road would also qualify for guardrail in several locations.

Mr. Clarke advised Rt. 612 in Parrott would not qualify for guardrail due to the road being too narrow.

Supervisor Akers questioned the schedule for paving of Little River Dam Road. Mr. Clarke confirmed the paving should occur in the spring around April or May, 2005.

Supervisor Sheffey requested an update on the Rt. 11 entrance sign. Mr. Clarke confirmed any location would need to be placed in an area that would not block vision of drivers. VDOT was requested to provide the maximum dimensions of the signage.

2. Adoption of Six-Year Secondary Road Plan

Mr. Clarke advised there was additional space on the six-year plan for an unpaved road.

Mr. John Hall requested maintenance of Case Knife Road, specifically unclogging and/or replacing of drainpipes, road maintenance, and trimming of trees. Mr. Hall also presented pictures of the deterioration of the road after rainfall. VDOT agreed to perform general maintenance and determine if the road qualifies as a rural rustic road.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board adopted the following resolution approving the six-year plan, which also includes Rock Creek Road, as well as the turn lane at Pulaski County High School:

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WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures and participate in a public hearing on the proposed plan (2006/07 through 2011/12) as well as the Construction Priority List (2006/07) on November 28, 2005 after duly advertised so that all citizens of the county had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, David Clarke, Resident Engineer, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2006/07 through 2011/12) and the Construction Priority List (2006/07) for Pulaski County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Pulaski County and of the Citizens residing on the Secondary System, said Secondary Six Year Plan (2006/07 through 2011/12) and Construction Priority List (2006/07) are hereby approved as presented at the public hearing with the following changes:

Priority #12 – Add Route 764

Priority #13 – Add Route 643

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

Voting no: none.

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b. VDOT Finance Overview

Mr. Clarke presented a detailed slide show describing the state highway funding process. Board members requested the slide show presentation be sent to Board members via the weekly update.

Supervisor Sheffey posed several questions regarding tolls vs no tolls on I81. Mr. Clarke advised that models are being created to determine the affect on Rt.11, etc.

c. Citizen Concerns

Ms. Barbara Smith presented concerns regarding Rt. 638, specifically the issue of access to Rt. 11, curves and sight distances on Rt. 11. Supervisor Akers advised of no deceleration lane on Rt. 11 to turn into Route 638. The Board requested an update from VDOT be presented at its January 23 Board meeting.

d. Board of Supervisors Concerns

Supervisors Akers requested maintenance on Dallas Freeman Road.

Supervisor Conner requested the status of chevron signage for Rt. 11 curve.

Supervisor Conner requested an update on Little Creek Mountain improvements. Mr. Clarke advised the improvements had been completed.

Supervisor Hale requested VDOT inform him of status of Case Knife Road matter.

Supervisor Sheffey requested VDOT review Church Hill Lane for consideration as a rural rustic road.

Supervisor Sheffey requested guardrails at Church Hill Lane.

Supervisor Sheffey questioned if Sam Gregory is doing snow removal for VDOT and noted snow removal appeared to be slower than usual. Mr. Clarke agreed to review the matter and advise the Board either by the weekly update or at the January 23 Board meeting.

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Mr. Clarke confirmed funding for maintenance can only be used for maintenance and no other improvements such as paving. The Board directed staff to lobby legislators for consideration of tar & gravel as a maintenance item.

6. Treasurer's Report

Treasurer Rose Marie Tickle provided a monthly update.

7. Citizens' Comments

There were no citizen comments.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed in detail the Key Activity Timetable.

b. Appointments

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

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

Voting no: none.

1. Planning Commission

The Board reappointed Doug Warren for a term ending December 31, 2009.

2. Pepper's Ferry Regional Wastewater Treatment Authority

The Board appointed Pete Huber as an alternate to the Pepper's Ferry Authority.

3. Jamestown 2007 Committee

The Board approved the appointment of the Chamber President for 2006 and 2007.

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9. Items of Consent:

On a motion by Mr. Conner, seconded by Mr. Hale 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 November 28 and December 12, 2005

The Board approved the minutes of the November 28 & December 12, 2005 meetings.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 20018 through 20570, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #6 totaling \$74,141.73 and appropriations and transfers as follows:

GENERAL FUND RESOLUTION #12	
Revenues:	
16150-0500 – Donations (Alliant Techsystems)	\$500.00
16150-0500 – Donations	\$267.00
TOTAL	\$767.00
Expenditures:	
5850 – Children’s Program	\$500.00
6014 – Petty Cash – Fines to be given to Pulaski Daily Bread, collected during amnesty period. (Per Library Board)	\$767.00
TOTAL	\$767.00
GENERAL RESOLUTIONS #13	
Revenues:	
Speeding Fund	\$10,000.00
TOTAL	\$10,000.00

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Expenditures:	
31200-6010 – Sheriffs Office (Police Supplies)	\$10,000.00
TOTAL	\$10,000.00
GENERAL RESOLUTION # 14	
Revenues:	
033010-2000 – Homeland Security (NRV Citizen Core)	\$15,000.00
Total	\$15,000.00
Expenditures:	
011010-5810 – Board of Supervisors Association Memberships	\$5,000.00
012700-3170 – Citizen Service Center	\$2,577.00
032200-2840 – Draper Volunteer Fire Department Hepatitis Vaccine	\$1,800.00
035520-8103 – Domestic Preparedness Grant Machinery & Equipment	15,000.00
092100-5861 – Treasure’s Tax Refunds	\$100.00
TOTAL	\$24,477.00
SCHOOL FUND #11	
Revenues:	
3-33010-1500 – School Improvement	-\$50,000.00
3-205-033020-4600 – Blue Ridge West	-\$600.00
Total	-\$50,600.00
Expenditures:	
4-205-061100-1121-202-100-945 – Salaries & Wages Teachers	\$50,000.00
4-205-061100-1621-200-110-956 – Supplements	\$600.00
Total	\$50,600.00
SCHOOL CONSTRUCTION FUND # 1	
Revenues:	
041040-0600 – Other Financing Proceeds (SNAP)	\$30,000.00
Total	\$30,000.00

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Expenditures:	
66500-8260 – New Elementary School Construction/Equipment	\$30,000.00
Total	\$30,000.00
CAPITAL IMPROVEMENT FUND # 2	
Revenues:	
041050-1000 – Transfer from General Fund	\$43,000.00
Total	\$43,000.00
Expenditures:	
035100-8240 – Animal Control Shelter Construction/Equipment	\$8,000.00
032260-8205 – Twin Comm. Fire Department Pumper	\$10,000.00
071320-3170 – Randolph Park Pool Chlorination System	\$25,000.00
Total	\$43,000.00

d. Ratification - Polyester Mobile Home Park Notice of Award

The Board ratified a Notice of Award with Meade Construction for a contract to built the water and sewer lines serving Polyester Mobile Home Park.

e. Contracts, Change Orders & Agreements

1. Polyester Mobile Home Park Construction Contract

It was noted this item is identical to item 9d.

2. Department of Health Local Government Agreement

The Board approved the annual agreement, pending review and concurrence of approval by the County Attorney.

f. Personnel Changes

The Board reviewed recent personnel changes.

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g. Adoption of Budget Calendar

The Board approved the following budget calendar for FY 07:

**FY 2006-07
BUDGET CALENDAR**

DATE

ACTIVITY

CAPITAL IMPROVEMENT PLAN (CIP)

Friday, September 23, 2005	Distribution CIP preparation instructions (Sent 10/4/05)
Friday, October 21, 2005	CIP requests due (Changed to 10/29/05)
Thursday, November 10, 2005	Department Head Ranking of CIP Requests
Tuesday, December 13, 2005	CIP requests distributed to Planning Commission
Friday, December 16, 2005	CIP requests distributed to Board of Supervisors
Tuesday, January 10, 2006	Planning Commission review of Capital Improvements
Tuesday, February 14, 2006	Planning Commission CIP approval

BUDGET

Friday, January 6, 2006	Distribution of budget instructions
Monday, January 23, 2006*	Review by Board of Supervisors of overall budget goals
Friday, February 10, 2006	Budget requests to be submitted to County Administrator
Monday, February 27, 2006*	Initial local revenue estimates and requested expenditures presented to the Board of Supervisors (real estate rate considerations begun, if needed)

Friday, March 24, 2006 Draft budget recommendations submitted to Board and agencies for review and comment

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Monday, March 27, 2006*	Presentation of preliminary budget recommendations to Board of Supervisors - Real estate tax rate set for 2006
Monday, April 3, 2006	Deadline for agency comments and scheduling of April 10 th presentations
Monday, April 10, 2006	Other agency/department comments and additional budget discussions between Board of Supervisors and School Board (if needed)
Monday, April 17, 2006	Budget work session
Monday, April 24, 2006*	Budget follow-up in conjunction with Board meeting
Monday, May 1, 2006	Tentative budget work session (if needed) and approval of public hearing advertisement
Sunday, April 16, 2006 or Sunday, May 7, 2006	Budget advertised
Monday, April 24, 2006* or Monday, May 22, 2006*	Public hearing – potentially move to 4/26 meeting if budget issues are resolved at 4/10 work session
Monday, May 22, 2006* or Monday, June 26, 2006*	Budget adoption in conjunction with Board meeting

Meetings of Board of Supervisors are Bolded

*** asterisk indicates meetings held in conjunction with a regular meeting of the Board**

h. Adjustments to 2006 Meeting Calendar

The Board approved moving the December 2006 Board meeting from December 25, 2006 to December 18, 2006 due to the Christmas holiday.

i. Resolution to Participate in the New River Valley Regional Water Supply Plan

As noted in the Board packet, the Board considered participating in regional water supply planning on a regional, rather than local basis to ensure coordination with plans by adjacent localities, while taking

advantage of grant assistance and an extended timeframe by which the plan must be completed.

Based on the above considerations, the Board adopted the following resolution:

RESOLUTION
A RESOLUTION TO PARTICIPATE IN THE NEW RIVER VALLEY REGIONAL
WATER SUPPLY PLAN

WHEREAS, the Commonwealth of Virginia is requiring all localities to provide a water supply plan within three to six years to meet the requirements established by 9 VAC 25-780, Local and Regional Water Supply Planning, and;

WHEREAS, the New River Valley Development Corporation, with assistance from the Planning District Commission and Virginia Tech, with funding from Rural Development over the previous two years, has compiled two reports on water supply planning for the New River Valley as a function of the New River Valley Water Source Plan, and;

WHEREAS, the previous two reports, and currently a third report, meet more than one-half of the requirements in the new Water Supply Planning Regulations, and;

WHEREAS, due to competitive grant funding from the Department of Environmental Quality, the most cost effective method to approach this requirement is on a regional level, now;

WHEREAS, it is recognized that the matching funds for this grant application are being provided through a Rural Development Technical Assistance Grant to the New River Valley Development Corporation and other water source planning activities being conducted by the New River Valley Planning District Commission, and;

WHEREAS, on behalf of Pulaski County, the New River Valley Planning District Commission is requested to apply for a grant from the Department of Environmental Quality, now;

Therefore, Be It Resolved by the Board of Supervisors of Pulaski County, Virginia,

That, Pulaski County, Virginia desires to participate at a regional level to meet the new Water Supply Planning Regulations.

Adopted this 19th day of December, 2005.

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k. Personnel Policy Meals Reimbursement

The Board approved amending the policy to reflect state policy allowing for the maximum amount reimbursable for meals outside the state to be \$46.00 per day – (\$10 for breakfast, \$10 for lunch and \$26 for dinner.

k. Upgrade of Integrated Library Automation System

The Board approved any grant applications and any temporary funding which may be needed in order to implement the proposed system.

l. Work-for-Others Personnel Change

The Board approved the following addition to the personnel policy which allows employees to contribute up to five days each of accumulated unused leave per year to a pre-designated charity:

WORK FOR OTHERS ASSISTANCE PROGRAM

Purpose

Allow employees to contribute accumulated and unused vacation leave time to benefit others through a non-profit contribution. While this program is in response to calls for assistance in aiding the victims of Gulf Coast hurricanes, the goal of this policy is to establish an ongoing means of allowing employees to utilize unused vacation leave to meet charitable needs in the Pulaski County community as well as beyond our immediate borders.

Benefits

- Victims – obtain financial aid paid for by the County of Pulaski Board of Supervisors
- Employees – can convert unused vacation time to a non-taxable deduction from their taxable income.
- Board of Supervisors – reduces a long-term liability for unused vacation leave. However, this program could have a direct impact on the cash position of the County depending on the number of County employees participating and the amount of time contributed by participating employees.
- Departmental Budgets – cash funding would be replaced by allocations from contingency so as not to result in financial penalty on departmental budgets.

Guidelines

Employees may contribute up to 5 days each of accumulated unused leave per year to a pre-designated charity. The specific charity will be recommended by the Employee Recognition Committee and County Administrator for approval by the Board of Supervisors. In addition, there is a total dollar cap of \$10,000 on the total dollar value of contributed leave.

Implement and Operational Procedures

1. Board reviews proposed program and concurs with its implementation pending significant interest by employees.
2. Draft program guidelines are described to employees
3. Employees are asked to indicate their interest
4. Program reviewed and approved by the Board of Supervisors
5. Employee recognition committee recommends a charity to which converted vacation days would be contributed (Charity would be selected on an annual basis)
6. Vacation leave deduction form would then be distributed to all full-time employees. The form would notify them of the charity receiving the contribution and providing opportunity for contributing up to five days equivalent pay to the specified charity.
7. Following receipt of completed deduction forms, the Board of Supervisors would allocate the equivalent funding amount from contingency
8. Vacation leave deductions are made in personnel records as specified by the employees.
9. Cash contribution made by the Board of Supervisors
10. Employees are provided with a tax-deductible receipt from the specific charity.

m. Memorandum of Understanding Between the New River Planning District Commission & Pulaski County

The Board approved an agreement with the New River Valley Planning District Commission allowing for administration to assist in the construction phase of the Wilderness Road Exhibit and sidewalks at the Wilderness Road Regional Museum.

n. Revision to Communications Systems Agreement

The Board approved an agreement to establish an agreement between the Board of Supervisors of the County of Pulaski and the Town of Pulaski for interoperations of the communications system, with a copy of said agreement being filed with the records of this meeting.

o. Execution of Mutual Aid Agreement with Carroll County

The Board approved entering into a mutual aid agreement with Carroll County by adopting the following resolution:

**RESOLUTION ADOPTING A MUTUAL AID AGREEMENT
BY AND BETWEEN THE COUNTY OF PULASKI, VIRGINIA AND
THE COUNTY OF CARROLL, VIRGINIA**

WHEREAS, it has been determined that the provisions of emergency services across jurisdictional lines will increase the ability of the parties hereto to preserve the health, safety and welfare of the citizens of Pulaski County, Virginia, and the County of Carroll, Virginia, and

WHEREAS, Section 44-146.20 of the Code of Virginia, 1950, as amended, authorizes local governments to establish and carry into effect a plan to provide mutual aid between adjoining counties, cities and towns, such as Pulaski County, Virginia, and the County of Carroll, Virginia;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Pulaski, Virginia, that the Mutual Aid Agreement dated December 20, 2005, attached hereto and incorporated herein by this reference, by and between County of Pulaski and the County of Carroll, Virginia is hereby adopted.

p. Emergency Ordinance Regulating Sexually Oriented Business

The Board adopted the following ordinance on an emergency basis, effective for a period of 60 days from the date of adoption, and directed staff to schedule a public hearing for the Board's January 23, 2006 meeting for consideration of permanent adoption:

Ordinance

**AN EMERGENCY ORDINANCE TO PROVIDE FOR THE REGULATION
AND PERMITTING OF SEXUALLY ORIENTED BUSINESSES.**

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, (the "Board") finds that sexually oriented businesses require special regulations and oversight in order to protect and preserve the health, safety and welfare of the patrons of such businesses as well as the citizens of the County of Pulaski, Virginia (the "County"); and

WHEREAS, the Board finds that sexually oriented businesses are frequently used for unlawful sexual activities, including prostitution; and

WHEREAS, the concern over sexually transmitted diseases is a legitimate health concern of the County which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of the citizens; and

WHEREAS, there is convincing documented evidence that sexually oriented businesses have a deleterious effect on both the existing businesses around them and the

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surrounding residential areas adjacent to them, causing increased crime and urban blight and the downgrading of property values and the quality of life in the adjacent area; and

WHEREAS, the Board desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizens of the County; and

WHEREAS, the Board has determined that zoning criteria alone will not adequately protect the health, safety, and general welfare of the County; and

WHEREAS, it is not the intent of the Board or this ordinance to suppress any speech activities protected by the First Amendment of the United States Constitution or the Constitution of Virginia, but to enact a content-neutral ordinance which addresses the secondary effects of sexually oriented business, and

WHEREAS, the Board has determined that an emergency exists requiring the immediate adoption of this ordinance in order to protect the health, safety and welfare of citizens of the County.

IT IS HEREBY ORDAINED, by the Board of Supervisors of Pulaski County, Virginia. that the following ordinance is adopted:

A. Definitions.

The following words, terms and phrases, when used in this ordinance shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult Arcade means any place to which the public is permitted or invited wherein coin-operated,

slug-operated, or for any form of consideration, electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at anyone time, and where the images so displayed are distinguished or characterized by the depicting or describing of Specified Sexual Activities or Specified Anatomical Areas.

Adult bookstore or adult video store means an establishment having as a substantial or significant portion of its stock-in-trade books, magazines, other periodicals, videotapes, computer disks, CD-ROMs, DVD-ROMs, virtual reality devices or similar media that are distinguished or characterized by their emphasis on matter depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Live Entertainment means any nightclub, bar, restaurant, or similar commercial establishment which regularly features:

- (a) persons who appear in a state of nudity or semi-nude; or

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- (b) live performances which are characterized by the exposure of Specific Anatomical Areas or by Specified Sexual Activities; or
- (c) films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of Specified Sexual Activities or "Specified Anatomical Areas."

Adult Motel means a hotel, motel or similar commercial establishment which:

- (a) offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of Specified Sexual Activities or Specified Anatomical-Areas; and has a sign visible from the public right of way which advertises the availability of this adult type of photographic reproductions; or
- (b) offers a sleeping room for rent for a period of time that is less than ten (10) hours;

or

- (c) allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

Adult Novelty Store means an establishment having as a significant portion of its stock in trade instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

Adult Movie Theater means a commercial establishment where, for any form of consideration, films motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of Specified Sexual Activities or "specified anatomical areas."

Adult Theater means a theater, concert hall, auditorium, or similar commercial establishments which regularly features persons who appear in a state of nudity or semi-nude, or live performances which are characterized by the exposure of Specified Anatomical Areas or by Specified Sexual Activities.

Employee means a person who performs any service on the premises of a sexually oriented business, on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage or other compensation by the operator of said business. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.

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Escort means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort Agency means a person or-business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

Establishment means and includes any of the following:

- (a) the opening or commencement of any Sexually Oriented Business as new business;
- (b) the conversion of an existing business, whether or not a sexually oriented business, to any Sexually Oriented Business;
- (c) the additions of any Sexually Oriented Business to any other existing sexually oriented business; or
- (d) the relocation of any Sexually Oriented Business.

Nude Model Studio means any place where a person who appears semi-nude, in a state of nudity, or who displays Specified Anatomical Areas and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a proprietary school licensed by the State of Virginia or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational program in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

- (a) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
- (b) where in order to participate in a class a student must enroll at least three days in advance of the class; and
- (c) where no more than one nude or semi-nude model is on the premises at anyone time.

Nudity or *State of Nudity* means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

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Permit means a person in whose name a permit to operate a Sexually Oriented Business has been issued, as well as the individual instead as an applicant on the application for a license; and in the case of an employee, a person in whose name a license has been issued authorizing employment in a Sexually Oriented Business.

Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.

Semi-Nude or in a *Semi-Nude Condition* means the showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part.

Sexual Encounter Center means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

- (a) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- (b) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

Sexually Oriented Business means an adult arcade, adult bookstore, adult novelty store, adult video store, adult live entertainment, adult motel, adult movie theater, adult theater, escort agency, nude model studio, or sexual encounter center.

Specified Anatomical Areas means less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities means human genitals in a state of sexual stimulation or arousal; sexual intercourse or sodomy; or fondling or other erotic touching of human genitals, pubic region, buttock or female breast, including masturbation.

Substantial Enlargement of a Sexually Oriented Business means the increase in floor areas occupied by the business by twenty-five percent (25%) or more, as the floor areas exist as of the effective date of this ordinance.

B. Permit required from the County Sheriff

a. Application; issuance; duration; renewal.

(a) Every person either operating or desiring to operate a Sexually Oriented Business, in addition to obtaining a business license from the Commissioner of the Revenue and proof

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from the Department of Planning and Zoning that the location requirements set forth in Section D below are satisfied, shall apply to the County Sheriff, or his designee, for a permit to operate the Sexually Oriented Business. Each such application shall be accompanied by a fee in the amount of \$200.00.

(b) Information required on and with the permit application shall include, but not be limited to the following:

- (1) The applicant's full name, age, sex, race, weight, height, hair and eye color, address, telephone number, date and place of birth and social security number.
- (2) Names and addresses of references.
- (3) Whether the applicant has been convicted of any felony or misdemeanor and, if so, the nature of the offense, when and where convicted and the penalty or punishment assessed.
- (4) Whether the applicant has been denied a permit or has had a permit revoked under any statute or ordinance requiring a permit to operate Sexually Oriented Business and, if so, when and where the denial or revocation occurred.
- (5) Photograph and fingerprints of applicant.
- (6) Name and address of the business for which a permit is sought.
- (7) A criminal records check of the applicant shall be provided by the applicant with the application, along with the applicant's written authorization. To investigate whether the information provided by the applicant is true.
- (8) A criminal records check for each initial employee or proposed employee must be provided by the applicant with the application, along with the employee or proposed employee's written authorization to investigate whether the information provided by the applicant is true. For each new employee a proposed employee the applicant/permittee must submit a criminal records check for that individual along with that person's written authorization to conduct further investigation.
- (9) The location of the proposed Sexually Oriented Business, including a legal description of the property, street address and telephone number(s), if any.
- (10) A sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimension of the interior of the premises to an accuracy of plus or minus six (6) inches.

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- (11) A current certificate and straight-line drawing prepared within thirty (30) days prior to application by a registered land surveyor depicting the property lines and the structures containing any existing Sexually Oriented Businesses within 1,500 feet of the property to be certified; the property lines of any established religious institution/synagogue, school, or public park or recreation area within 2,500 feet of the property to be certified. For purposes of this Section, a use shall be considered existing or established if it is in existence at the time an application is submitted.
 - (12) If an applicant wishes to operate a Sexually Oriented Business, other than an adult motel, which shall exhibit on the premises, in a viewing room or booth of less than one hundred fifty (150) square feet of floor space, films, video cassettes, other video reproductions, or live entertainment which depict Specified Sexual Activities or Specified Anatomical Areas, then the applicant shall comply with the application requirements set forth in Section E.
 - (13) Written declaration, dated and signed by the applicant, certifying that the information contained in the application is true and correct.
- (c) For a corporation, partnership or other legal entity, "applicant" includes each officer, director, shareholder, partner or principal of the entity and the manager of the store.
- (d) The County Sheriff or his designee shall act on the application within 60 days of the filing of an application containing all the information required by this section.
- (e) The applicant shall be issued a permit unless the County's investigation or the information furnished by the applicant shows any of the following:
- (1) The applicant has been convicted of a felony within the past five years;... .
 - (2) The applicant has been convicted of a crime of moral turpitude or a crime involving the obscenity laws within the past three years;
 - (3) The applicant has been denied a permit or has had a permit revoked within the past 12 months under any statute or ordinance requiring a permit to operate an adult bookstore or adult video store; or
 - (4) Failure of the applicant's business to comply with the Town's business license, zoning, building, plumbing, utility, health, electric or fire prevention codes, or with any other applicable Town or state laws or regulations, including this ordinance.
- (f) The permit shall be valid for 12 months from the date thereof and may be renewed in the same manner as it was initially obtained. The application fee for a renewal permit shall be \$100.00. No permit shall be transferable.

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(g) Any changes in the ownership or principals of the business entity to which the permit is issued will automatically make the permit void. Such changes shall be reported to the County Sheriff or his designee, and a new application may be submitted for review.

b. Revocation of Permit.

(a) The County Sheriff or his designee may revoke any permit issued pursuant to this article (i) for fraud, misrepresentation or any false statement contained in the application; (ii) upon conviction of the applicant for any felony, crime involving moral turpitude, or crime involving the obscenity laws after the permit is issued; (iii) for failure to comply with the provisions of this article; or (iv) if the applicant's business fails to comply with applicable County or state laws or regulations, including this ordinance.

(b) If the County Sheriff or his designee revokes a permit, he shall notify the permittee in writing of such action, the reasons for the revocation, and the permittee's right to request a hearing. To receive a hearing, the permittee must make a written hearing request which must be received by the County Sheriff, or his designee, within ten days of the date of the revocation notice. If a timely hearing request is not received by the County Sheriff, or his designee, the decision shall be final. If a hearing is properly requested, it shall be held within ten days from receipt of the hearing request. The hearing shall be presided over by the County Sheriff or his designee. The permittee shall have the right to present evidence and argument or to have counsel do so. Within a reasonable time after the hearing, the County Sheriff, or his designee, shall render his decision which shall be final. The permittee must discontinue operation of its business when the decision to revoke the permit becomes final.

(c) When protection of public health, safety or general welfare requires such action, the County Sheriff, or his designee, may immediately revoke a permit issued under this article by so stating in a written notice to the permittee. When action is taken pursuant to this subsection, the permittee shall immediately discontinue operation of its business, but shall have the right to a hearing as stated in subsection(b).

c. Availability of prompt judicial review.

After denial of an initial or renewal application or after revocation of a permit by the County Sheriff or his designee, the applicant or permittee may seek prompt judicial review of such administrative action in the circuit court of the county. Any such request for judicial review shall be filed within 30 days of when the administrative action becomes final.

C. Inspections.

An applicant or licensee shall permit representatives of the County Sheriff, Health Department, Fire Department, Zoning Department, or other County departments or agencies to inspect the premises of a Sexually Oriented Business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

D. Location of Sexually Oriented Businesses.

a. Permitted Zoning Districts.

No Sexually oriented Business may be operated in any zoning district except those districts designated CM1.

b. Set-back Requirements.

No Sexually Oriented Business may be operated with 1,000 feet of the following:

(1) A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.

(2) A public or private educational facility including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;

(3) A boundary of any residential district as defined in the County of Pulaski Zoning Ordinance;

(4) A public park or recreational area which has been designate~ for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land within the County which is under control, operation, or management of the County park and recreation authorities.

(5) The property line of a lot devoted to a residential use as defined in the County of Pulaski Zoning Ordinance;

(6) An entertainment business which is oriented primarily toward children or family entertainment; or

(7) A licensed premises, licensed pursuant to the alcoholic beverage control regulations of the State;

(8) Any motel, hotel, or travel lodge; or

(9) Any truck stop or truck rest area.

c. Other Requirements.

No Sexually Oriented Business may be operated on any primary road or thoroughfare.

E. Regulations Pertaining to the Exhibition of Sexually Explicit Films, Videos or Live Entertainment in Viewing Rooms.

- (A) A person who operates or causes to be operated a Sexually Oriented Business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassette, live entertainment, or other video reproduction which depicts specified sexual activities or specified anatomical area, shall comply with the following requirements:

(1) Upon application for a Sexually Oriented Business permit, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more managers stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram, should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimension of tall areas of the interior of the premises to an accuracy of plus or minus six (6") inches: The County may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certified that the configuration of the premises has not been altered since it was prepared.

(2) The application shall be sworn to be true and correct by the applicant.

(3) No alteration in the configuration or location of a manger's station may be made without the prior approval of the County.

(4) It is the duty of the permittee of the premises to ensure that at least one permitted employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.

(5) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station. .

(6) It shall be the duty of the permittee to ensure that the view area specified in subsection (5) remains unobstructed by any doors, curtains, partitions, walls, merchandise, display racks or other materials and, at all times, to ensure that no patron is permitted access to any area of the premises which has been designated as an area in

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which patrons will not be permitted in the application filed pursuant to subsection (1) of this Section.

(7) No viewing room may be occupied by more than one person at any time.

(8) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than five (5.0) foot-candles as measured at the floor level.

(9) It shall be the duty of the permittee to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

(10) No permittee shall allow openings of any kind to exist between viewing rooms or booths.

(11) There shall be no opening of any kind between viewing booths or rooms.

(12) The permittee shall, during each business day, regularly inspect the walls between the viewing booths to determine if any opening or holes exist.

(13) The permittee shall cause all floor coverings in viewing booths to be nonporous, easily cleanable surfaces, with no rugs or carpeting.

(14) The permittee shall cause all wall surfaces and ceiling surfaces in viewing booths to be constructed of, or permanently covered by, nonporous, easily cleanable material. No wood, plywood composition board or other porous material shall be used within forty-eight (48") inches of the floor.

F. Regulations for Escort Agencies.

A. An escort agency shall not employ any person under the age of 18 years.

B. An escort agency shall not agree to act as an escort for any person under the age of 18 years.

G. Regulations for Nude Model Studios.

A. A nude model studio shall not employ any person under the age of 18 years.

B. A nude model studio shall not place or permit a bed, sofa, or mattress in any room on the premises, except that a sofa may be placed in a reception room open to the public.

H. Additional Regulations Concerning Public Nudity.

A. Operators of Sexually Oriented businesses shall not allow persons to appear in a state of nudity or depict specified sexual activities.

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B. Operators of Sexually Oriented Businesses shall not allow persons to appear in a semi-nude condition unless the person is an employee who, while semi-nude, shall be at least ten (10) feet from any patron or customer and on a stage at least two feet from the floor.

C. Operators of Sexually Oriented Businesses shall not allow employees to solicit any pay or gratuity from any patron or customer or for any patron or customer to pay or give any gratuity to any employee, while said employee is semi-nude in a sexually oriented business.

D. Operators of Sexually Oriented Businesses shall not allow employees, while semi-nude, to touch a customer or the clothing of a customer.

I. Prohibition Against Children In a Sexually Oriented Business.

Persons under the age of 18 years are not allowed on the premises of a sexually oriented business.

J. Hours Of Operation.

No sexually oriented business, except for an adult motel, may remain open at any time between the hours of one o'clock (1:00) AM. and eight o'clock (8:00) AM. on weekdays and Saturdays, and one o'clock (1:00) AM. and noon (12:00) P.M. on Sundays.

K. Exemptions.

A. It is a defense to prosecution under Section H that a person appearing in a state of nudity did so in a modeling class operated:

(1) by a proprietary school, licensed by the State of Virginia; a college, junior college, or university supported entirely or partly by taxation;

(2) by a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or

(3) in a structure;

(a) which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and

(b) where, in order to participate in a class a student must enroll at least three (3) days in advance of the class; and

(c) where no more than one nude model is on the premises at anyone time.

L. Violations and Penalties.

A person who operates or causes to be operated a Sexually Oriented Business without a valid permit or in violation of this ordinance is subject to a suit for injunction as well as prosecution for criminal violations. Such violations shall be punishable by a fine of \$2,500.00 or imprisonment for a term not to exceed 12 months or both. Each day a sexually oriented business so operates shall constitute a separate offense or violation.

M. Severability.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

N. Effective Date.

This ordinance is effective immediately.

10. Citizen Comments

There were no citizen comments.

11. Other Matters from Supervisors

Board members wished all county staff a Merry Christmas and Supervisor Akers thanked county staff for hard work over the past couple of years.

Supervisor Pratt asked that Burley Horton Road be placed on the six-year plan waiting list.

Mr. Sheffey requested staff provide an updated waiting list and final six-year plan to the supervisors in the weekly update.

Supervisor Sheffey advised Annie B. Crockett had advised she had not received legislative concerns.

Supervisor Akers thanked Sheriff Davis for allowing Jamie Radcliffe to depart from his usual deputy duties to perform code enforcement duties and advised the Board would like to see the continued use of Mr. Radcliffe in this capacity.

12. Closed Meeting

Chairman Sheffey advised there was no Closed Session scheduled for this meeting.

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13. Adjournment

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board of Supervisors adjourned its regular meeting. The next regularly scheduled meeting of the Board of Supervisors will be held on Monday, January 23, 2006 at 7:00 p.m. in the Board Room of the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

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

Voting no: none.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator