

BOARD OF SUPERVISORS MEETING MINUTES OF FEBRUARY 27, 2006

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, February 27, 2006 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; David Tickner, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

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

2. Presentation of Resolution – Mike Lewis

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board adopted the following resolution recognizing retiring Sheriff's Department employee Mike Lewis:

RESOLUTION OF APPRECIATION - MICHAEL W. LEWIS

WHEREAS, **Mike Lewis** rendered valuable public service to Pulaski County, exhibiting the best of the qualities displayed in the County seal, ***Excellence, Vision and Pride***; and

WHEREAS, **Mike Lewis** was an employee of the Pulaski County Sheriff's Department serving in the Sheriff's Department from March 1, 1976 through February 28, 2006, serving as a Deputy Sheriff, and Lieutenant; and

WHEREAS, over the course of his 30 years, **Mike Lewis** accepted changes that occurred in the Sheriff's Department with efficiency and pride in his work; and

WHEREAS, **Mike Lewis's** sense of humor and warm heart was often displayed through consideration to taxpayers and fellow employees; and

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

WHEREAS, the service provided by **Mike Lewis** has benefited not only present and past citizens of Pulaski County, but will enhance the quality of life of its future citizens.

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

BE IT FURTHER RESOLVED, that that text of this resolution be spread on the minutes of the Board of Supervisors in permanent testimony of its appreciation to the service provided by **Mike Lewis** to the citizens of Pulaski County.

Adopted this 27th day of February 2006.

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

Voting no: none.

3. Featured Employees

Mr. Sheffey recognized Ricky Crowder of the PSA Water Department and Ronnie Joe Rodgers of the PSA Water Treatment Plant, as the Featured Employees for the month of March. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee and presented each employee a gift certificate to Shoney's.

4. Additions to Agenda

Mr. Huber advised of the Town of Dublin's 100th anniversary and requested the Board consider adoption of a resolution be added under Items of Consent. Mr. Huber also advised of plans by county staff to visit the proposed site for the Fairlawn entrance sign and that the Hogan's Dam right-of-way issued had been resolved.

5. Public Hearings:

- a. A rezoning request by **Harvey D. & Mary S. Shelburne** from Residential (R1) to Agricultural (A1) on property identified as tax map no. 076-001-0000-0077, located at 4656 Shelburne Rd. (Rt. 690), (76.0710 acres), Ingles District. General uses proposed are single-family residences and farm uses at a proposed density of no greater than one dwelling per 30,000square feet. The properties are designated as Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan.

Mr. Sheffey read the details of the public hearing and called on Mr. Tickner for staff comments. Mr. Tickner explained the purpose of the hearing was to solicit input from the public regarding the proposed rezoning request. Mr. Tickner advised the Planning Commission recommended approval of the rezoning request.

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Mr. Sheffey opened the public hearing.

Mr. Ronnie Dalton requested the Board deny the rezoning request. Mr. Dalton advised the Board had denied previous rezoning requests by him and he believed it to be unfair to approve this request. Mr. Dalton advised if the request is approved, he would like for the Board to require a proffer indicating the land will never be developed.

Ms. Charlotte Shelburne spoke in favor of the requested rezoning.

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

Mr. Sheffey confirmed the Planning Commission was not recommending any proffers as part of the Planning Commission recommendation.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the rezoning request, as recommended by the Planning Commission.

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

Voting no: none.

- b. A request for Special Use Permit (SUP) by **Darryl J. & Stephanie S. Gillespie** for an exception to limitations on a private dock facility allowed by Article 8-8, on property identified as tax map no. 067-011-0000-006A, (0.8070 acres), zoned Residential (R-1), located on the east side of Island View Way (private road), approximately 360 ft. south of Whipporwill Way (private road), off Claytor Dam Rd. (Rt. 799), Ingles District.

Mr. Sheffey advised a public hearing had been scheduled to consider this matter; however, this matter had been tabled by the Planning Commission. Further, no action would be taken regarding this matter.

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

Mr. Tickner advised he was anticipating this matter to be resolved shortly by the parties involved.

- c. An initiative by **David Diesel** to amend the following section(s) of the Pulaski County Zoning Ordinance:
- Amendments to **Article 1, Definitions Use and Design Standards**, defining homes, single-family detached dwellings;
 - Amendments to **Article 6A, Transitional Industrial District (I-0) Zoning District**, allowing the following uses by-right :
"Town house", "condominium", "homes, single-family detached dwellings".

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

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

On a motion by Mr. Conner, seconded by Mr. Hale and carried, the Board approved the following amendments to the Zoning Ordinance, as recommended by the Planning Commission:

Article 1, Definitions Use and Design Standards

Homes, single-family detached dwellings: A building containing one dwelling unit on an individual lot that is not attached to any other dwelling by any means and is surrounded by open space or yards. This dwelling does not have any roof, wall or floor in common with any other dwelling unit. For a single-family dwelling without open space or yards on all sides, please see

ARTICLE 6A: TRANSITIONAL INDUSTRIAL DISTRICT (I-0)

6A-1 Uses Permitted by Right

Within the Transitional Industrial District (I-0), the following uses are permitted by right:

- *Condominiums*
- *Homes, single-family detached dwellings*
- *Town houses*

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

Voting no: none.

Abstaining: Mr. Akers.

d. An initiative by the **County of Pulaski** to amend the following section(s) of the Pulaski County Zoning Ordinance:

- Amendments to **Article 5B, Residential District (R-1) Zoning District, Article 5C, Residential District (R-2) Zoning District**, allowing the following uses by-right or Special Use Permit (SUP):
"Dwelling, patio home", "dwelling, patio home zero lot line".
- Amendment to **Article 5D, Residential District (R-3) Zoning District**, allowing the following uses by-right or by Special Use Permit:
"Dwelling, patio home", "dwelling, patio home zero lot line".

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

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

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved the following amendments to the Zoning Ordinance, as recommended by the Planning Commission:

ARTICLE 5B: RESIDENTIAL DISTRICT (R-1)

5B-3 Uses Permitted by Special Use Permit (SUP) Only

- *Dwelling, Patio Home*
- *Dwelling, Patio Home Zero Lot Line*

ARTICLE 5C: RESIDENTIAL DISTRICT (R-2)

5C-2 Uses Permitted by Right

- *Dwelling, Patio Home*
- *Dwelling, Patio Home Zero Lot Line*

ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)

5D-2 Uses Permitted by Special Use Permit (SUP) Only

- *Dwelling, Patio Home*
- *Dwelling, Patio Home Zero Lot Line*

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5D-3
by Special Use Permit (SUP) Only

Uses Permitted

- ~~Dwelling, Patio Home~~

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

Voting no: none.

- e. Amendments to the boundaries of the Pulaski County enterprise zones Number 25 and 40.

Mr. Tickner explained the purpose of the public hearing was to consider the following Enterprise Zone boundary adjustments:

1. An extension of the Pulaski County Enterprise zone number 25 to the Town of Pulaski Industrial Park and the Bob White Building, off Bob White Boulevard (Rt. 611), and other properties in proximity; and
2. The addition of a noncontiguous zone to include properties near the intersection of Bob White Boulevard and Route 99, and along Route 99 to the Town Limits and possibly Interstate 81, Exit 94. Both of these boundary additions will include property within the Pulaski Town Limits.
3. The deletion for the New River Enterprise Zone number 40 to eliminate some residential areas in Heron's Landing off Viscoe Road (Rt. 679) and
4. An extension to include properties in the Fairlawn area in proximity to Route 11 and Route 114.

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

The Board directed staff to schedule a community meeting of the properties surrounding the affected areas, as well as schedule an additional public hearing at the Board's March 27 meeting.

- f. Pursuant to Code Section 15-2-2006 of the Code of Virginia, 1950, as amended, the Board of Supervisors will hear any parties affected with the vacation of 0.204 acres of existing right-of-way formerly used as a cul-de-sac on Fulk Road, State Route 1214, and to convey the abandoned right-of-way to Jemsite Development, LLC.

Mr. Huber explained the requested vacation of right-of-way and advised the road had been extended to serve the Fairlawn Walmart.

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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. Pratt and carried, the Board approved the vacation of 0.204 acres of existing right-of-way formerly used as a cul-de-sac on Fulk Road, State Route 1214, and to convey the abandoned right-of-way to Jemsite Development, LLC.

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

6. 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)

Mr. Akers requested VDOT review the guardrail request for Wilderness Road.

Mr. Akers questioned VDOT's response that Hazel Hollow Road does not qualify for guardrail and requested VDOT review the area once again.

Mr. Clarke advised there was no shoulder for placement of a guardrail on Fariss Mines Road.

Mr. Clarke advised Church Hill Lane was too narrow for guardrail.

2. Fairlawn Entrance Sign

Mr. Huber advised that county and VDOT staff planned to visit the proposed site and measure for proper distances for placement of the signage. Further, the Board requested some type of lighting or reflective signage.

b. Right-of-Way Surplus Property Request

Mr. Huber provided correspondence from VDOT regarding the request of Dale and Janet Flory for return of property to private ownership. The Board directed staff to provide pictures and details of the

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location of the property, as well as the legal requirements for holding a public hearing. Further, if a public hearing is required, staff was directed to schedule a hearing for the March 27 Board meeting as appropriate.

c. Resolution to Accept Fulk Road Extension

On a motion by Mr. Hale, seconded by Mr. Akers and carried, the Board adopted the following resolution accepting the Fulk Road Extension into the secondary system:

WHEREAS, the street(s) described on the Additions Form AM-4.3 (filed in the County Administrator's and VDOT Offices and, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Pulaski County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation.

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

Voting no: none.

d. Old Pepper's Ferry Road

As indicated in the Board packet, an inquiry had been received regarding the status of Old Pepper's Ferry Road. Mr. Huber advised VDOT had addressed the matter and no action by the Board was needed.

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e. Citizen Concerns

Ms. Deanna Cole of Cole Mountain Road advised of concerns by residents over the steep grade on Cole Mountain Road and lack of ditching and grading; requested tree removal, clean up of the dump on the road, widening of two lanes, installation of guardrails, no dumping signage and culvert installation. Mr. Clarke agreed to review the matter for possible general maintenance of the road. Further, Mr. Clarke and Supervisor Akers agreed to visit the site within the next two weeks and provide an update at the March Board meeting.

f. Board of Supervisors Concerns

Mr. Pratt requested guardrail on Pine Run Road. Staff was directed to place this matter on the Key Activity Timetable for review at the March Board meeting.

Mr. Akers requested further review for installation of guardrail on Hazel Hollow Road. Staff was directed to place this matter on the Key Activity Timetable for review at the March Board meeting.

Mr. Akers advised of potholes on Lowman's Ferry Road. Staff was directed to place this matter on the Key Activity Timetable for review at the March Board meeting.

Mr. Conner requested improvements to the Rt. 11/100 interchange going south on I-81.

Mr. Sheffey requested a smaller sign at the Pepper's Ferry Loop connection to Rt. 114, due to poor sign visibility.

Mr. Sheffey requested general maintenance of Rt. 1220 in the Sutton Subdivision.

Mr. Clarke advised the Rt. 693 bridge repairs were proceeding well.

Mr. Sheffey asked VDOT for a timeframe for pothole repairs. Mr. Clarke advised pothole repairs should begin in April.

Mr. Sheffey requested an update on the Tier 1 improvements. Mr. Clarke advised VDOT would be conducting public hearings in March, most likely in the Wytheville and Salem areas.

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7. Treasurer's Report

Treasurer Rose Marie Tickle provided a monthly update and reported there had been some payoffs as a result of the delinquent taxpayers' notice that appeared in the Southwest Times.

8. Citizens' Comments

Mr. Nathan Stephens spoke on behalf of the residents of Black Hollow Road, Horseshoe Loop, Black Hollow Heights and Miller Ridge and requested water service to those areas of Pulaski County. Mr. Huber provided details regarding procedures for obtaining funding for installation of water/sewer service. The Board directed county staff to present the request to the PSA Board at its March 13 PSA meeting.

Mr. Al Davis requested consideration by the Board to converting the former Police Academy into a recreation center/learning lab. Mr. David also requested adoption of the Virginia Property Maintenance Code and that all jobs for the county be advertised through the Virginia Employment Commission and the Southwest Times.

Mr. Sheffey requested staff provide Mr. Davis with the community center information which was prepared this past year on active community centers in the county.

Mr. E. W. Harless requested the Board take action to hire a full time code enforcement officer and commended the work of Jamie Radcliffe in cleanup of areas of the county. Mr. Harless also advised of loose debris from out of county trucks traveling to the landfill. Mr. Conner offered to address the matter at the next New River Resource Authority meeting. Mr. Pratt advised he could not make a motion at this time to hire a full time code enforcement officer until he had studied the matter further. Mr. Sheffey advised the matter would be addressed as part of the FY 07 budget process.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable (KAT)

The Board reviewed in detail the Key Activity Timetable. Mr. Sheffey advised of an opportunity to speak with Lowe's representatives and their willingness to partner with other organizations in providing materials for improvements for various projects. Staff was requested to contact Dr. Stowers and Dr. Woolwine at Pulaski County High School to discuss the feasibility of vocational school students working with county

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and the Lowe's to build proposed shelters at Randolph Park. County staff was directed to determine the best location for the shelters.

Supervisor Akers inquired regarding the permanent location of the trailer installed at Harry DeHaven Park. County staff was directed to provide specifics on the exact location of the trailer. Supervisor Akers also advised of graffiti on the concession stand building.

Supervisor Akers commended the Sheriff's Department for an outstanding job in handling the recent tragedy at the Walmart in Fairlawn in an efficient manner.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board directed county staff to prepare a resolution of appreciation for presentation at the March 27 Board meeting for adoption by the Board.

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

Voting no: none.

b. Revenue Projections

Mr. Huber presented charts describing in detail the revenue sources anticipated for FY 07.

c. A request for Special Use Permit (SUP) by **GAD L L C** to allow a sign setback variance for **Arby's Restaurant** on property identified as tax map no. 056-002-001A-0001 (1.210 acres), zoned Commercial (CM1), located on the southwest corner of Woodlyn St (Rt. 1028) and Cleburne Blvd. (Rt. 100), Draper District.

Mr. Tickner explained consideration of this request had been tabled by the Board at its January meeting, pending a site review by the Planning Commission. Mr. Ticker advised the Planning Commission approved the site plan at its February Commission meeting.

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board brought this matter back to the table for consideration by the Board.

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

Voting no: none.

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On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board approved the special use permit, as recommended by the Planning Commission.

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

Voting no: none.

Mr. Sheffey inquired of Arby's representative Jerome Henschel as to a timeframe for the opening of the new Arby's Restaurant. Mr. Henschel indicated he expected the restaurant to be built within 90 days.

d. Property Maintenance Standards

Mr. Tickner presented a detailed slideshow describing various property maintenance issues in Pulaski County.

The Board directed staff to check with other localities to determine which localities have adopted the state's property maintenance code. The Board requested an update at the March Board meeting.

Supervisor Akers advised it was his desire to see the county adopt standards which would allow stricter enforcement of areas without running water.

Mr. Tickner advised the maintenance code does not differentiate between abandoned and occupied buildings.

Supervisors Conner and Pratt expressed concern about the quality of life of the citizens of Pulaski County.

b. Appointments

Action regarding appointments was deferred to Closed Session.

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 January 23, 2006

The Board approved the minutes of the January 23, 2006 meeting.

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b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 21038 through 21474, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved Interoffice Transfer #8 totaling \$49,913.86 and appropriations and transfers as follows:

GENERAL FUND RESOLUTION # 17	
Revenues:	
18030-1300 – Refunds (E-Rate)	\$3778.80
16150-0700 – RIF (Chamber of Commerce)	193.00
Total	\$3971.80
Expenditures:	
6012 – Books and Subscriptions	\$3778.80
5699 – RIF	193.00
TOTAL	\$3971.80
GENERAL FUND RESLOUTION # 18	
Revenues:	
024040-3000 – Victims Witness Grant (Women’s Resource Center)	\$49,328.00
Total	\$49,328.00
Expenditures:	
021900-3800 – Victims Witness Grant (Women’s Resource Center)	\$49,328.00
TOTAL	\$49,328.00
SCHOOL FUND ADJUSTMENT #13	
Resolution:	
3-205-15020-0100 – Rental of Property	-\$289.00
3-205-16120-1100 – Sub Teacher Fees	-2,296.20
3-205-18030-0300 – Refund/Overpayment	-1,668.12
3-205-18030-0320 – School Nurse Services	-15.96
Total	-\$4,269.28
Expenses:	

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4-061310-6020-200-100 – Textbooks	\$4,269.28
TOTAL	\$4,269.28
SCHOOL FUND ADJUSTMENT #14	
Resolutions:	
3-205-033020-2400 – Carl Perkins	-\$587.00
Total	-\$587.00
Expenditures:	
4-205-061100-8101-350-300 – Replacement Equipment	\$587.00
TOTAL	\$587.00
SCHOOL FUND ADJUSTMENT #15	
Resolutions:	
3-205-16120-1100 – School Teacher Fees	-\$10,055.16
3-205-18030-0300 – Refund/Overpayment	-1,015.02
Total	-\$11,070.18
Expenses:	
4-205-062120-5800-900 – Superintendent’s Misc.	\$11,070.19
TOTAL	\$11,070.19
SCHOOL FUND ADJUSTMENT # 4	
Revenues:	
Total	0
Expenses:	
4-205-062120-5800-900 – Superintendent’s Misc.	-\$31,000.00
4-205-061310-6020-300-100 – Textbooks	31,000.00
TOTAL	0
INTERNAL SERVICE FUND # 1	
Revenues:	
018030-0200 – Recovered Costs- Food for Bright Users Meeting 1/20/06	\$313.33
Total	\$313.33
Expenditures:	
012510-6002 – Information Technology-Food	\$313.33
TOTAL	\$313.33

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d. 2006-07 Local Government Challenge Grant

The Board approved an application by the Fine Arts Center for the 2006-07 Local Government Challenge Grant from the Commission for the Arts is requested.

e. Contracts, Change Orders & Agreements:

1. Fairgrounds Lease Agreement

The Board was presented with a copy of a revision to the lease agreement between the Fairgrounds Board and the county proposed in May, 1987 but apparently never executed by the NRV Fair Association.

The Board authorized the county attorney and county administrator to negotiate with the Fair Association in the development of an acceptable agreement to all parties.

2. Consortium Agreement

As reported in the Board packet, the New River Valley Planning District Commission is proposing the formation of a Home Consortium in the New River Valley which would make available between \$750,000 and \$1 million annually to be used for acquisition of residential property, rehabilitation of existing property for residential purposes, and financial assistance with rental payments and security deposits. It was further reported that all project expenditures have to be matched by 25% in-kind or cash contributions and up to 10% can be spent for administrative functions.

The Board approved the formation of a Home Consortium by joining with other localities.

3. Contract for Auditing & Cost Allocation Services

As reported in the Board packet, only one proposal was received for auditing and two proposals for the cost allocation services. Robinson, Farmer & Cox quoted an amount of \$32,400 for the county's auditing services; \$8,785 for the PSA auditing services and \$4,270 for the IDA auditing services beginning with this fiscal year FY 06. For fiscal years 07 and 08, the fee would increase 3% annually. Further, Robinson, Farmer & Cox proposed \$3,500 for the preparation of the cost allocation plan, but if

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awarded for three years, the cost would be \$3,000 per year. Maximus' proposed the preparation of the cost allocation plan for a flat \$2,000 annually for the next three years.

The Board approved awarding the contract to Maximus for the cost allocation services at a cost of \$2,000 and awarding contract to Robinson, Farmer, Cox Associates of auditing services at a cost of \$32,400.

f. Personnel Changes

The Board reviewed recent personnel changes as described in a memo from Ms. Burchett and filed with the records of this meeting.

g. Memorial Resolution – Nathaniel Tuck

The Board approved the following resolution in honor of Dr. Nathaniel Tuck:

MEMORIAL RESOLUTION
DR. NATHANIEL TUCK

WHEREAS, **Nathaniel Tuck** served Pulaski County as a civic, business, church and community leader in Pulaski County for over 25 years; and

WHEREAS, **Nathaniel Tuck** served 12 years as a member of the Pulaski County School Board, with three of those years at Vice-Chairman; and

WHEREAS, **Nathaniel Tuck** diligently represented the interests of the residents of Pulaski County, while at the same time working for improved education in Pulaski County; and

WHEREAS, **Nathaniel Tuck's** quite spoken way of working with, and serving, the citizens of Pulaski County serves as an example to all Pulaski County citizens; and

WHEREAS, **Nathaniel Tuck's** care for the citizens of Pulaski County, not only professionally but personally, will carry on for generations through the lives of the many he helped.

NOW THEREFORE, BE IT RESOLVED that the Pulaski County Board of Supervisors hereby extends its sympathy to the family of **Nathaniel Tuck** over his untimely passing; and

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BE IT FURTHER RESOLVED that the text of this resolution be spread upon the minutes of the Pulaski County Board of Supervisors this 27th day of February, 2006 in permanent testimony to the service of **Dr. Nathaniel Tuck** to Pulaski County.

The Board directed county staff to invite Mrs. Tuck and her family to the March 27 Board meeting for formal presentation of the resolution to the Tuck family.

h. Clerk's Office Rolling File Unit

As reported in the Board packet, the Clerk's Office is requesting the allocation of approximately \$16,500 for the expansion of the rolling filing cabinet used to store various court documents.

The Board approved an allocation of approximately \$16,500 for the expansion of the rolling filing cabinet used to store various court documents, pending receipt of a plan for controlling the continued growth of the file system from the Clerk's Office.

i. Plastic Pesticide Recycling Program Guidelines

The Board approved applying for related grant funds, as well as opening the program to farmers from other localities since the entire cost of the program would be funded through a grant.

j. Lease Arrangement/Coast Guard Auxiliary/Community Building – Harry DeHaven Park

As reported in the Board packet, a long-term lease of a portion of DeHaven Park by the Coast Guard Auxiliary is being requested in return for community use.

The Board directed staff to schedule a public hearing regarding the use of county property for the purpose of a long-term lease of a portion of the DeHaven Park property by the Coast Guard Auxiliary in return for community use, pending confirmation of acceptable use by Appalachian Power Company.

k. Scheduling of Public Hearing to Consider Ordinance Establishing Junior Volunteer Firefighter Program

The Board approved the following ordinance on an emergency basis as required by the Department of Fire Prevention programs in order to continue allowing junior members to participate in training exercises.

The Board directed staff to advertise for a public hearing at the March 27 Board meeting to consider permanent adoption of the ordinance.

**ORDINANCE ESTABLISHING THE JUNIOR
VOLUNTEER FIREFIGHTER PROGRAM FOR THE
COUNTY OF PULASKI**

WHEREAS, the Pulaski County Board of Supervisors has deemed that in the public interest of the county's health, welfare and safety to encourage interest on the part of citizens age sixteen (16) or older who wish to participate as a junior volunteer in the activities of the county fire departments,

NOW THEREFORE, BE IT ORDAINED that the Pulaski County Board of Supervisors sitting in regular session this 27th day of February 2006 that pursuant to the authority of the *Code of Virginia 40.1-79.1*, the Pulaski County Board of Supervisors authorizes any minor sixteen (16) years or older, with parental or legal guardian approval, to seek certification under National Fire Protection Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs; and to work with, to participate fully, subject to any restrictions that may be adopted by any of the Pulaski County Fire Departments, in all activities of those fire departments, provided such minor has attained certification under *National Fire Protection Association NFPA 1001, Level One Firefighter Standards*.

FURTHER, that any trainer of such minor or any paid or volunteer member of the county fire departments, who supervises such minor shall be exempt from the provisions of *Code of Virginia 40.1-103* provided the county fire departments and the Pulaski County Board of Supervisors has purchased insurance which provides coverage for injuries to, or death of, such minor in the performance of activities under this section.

This ordinance is effective upon adoption and is hereby adopted on an emergency basis this 27th day of February 2006.

I. Sponsorship of *Moving Business Forward Expo 2006*

The Board approved a \$3,000 sponsorship towards the Moving Business Forward 2006 Expo.

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m. Personnel Policy Revision

As reported in the Board packet, the Public Service Authority Board of Directors is requesting the Board of Supervisors amend the Personnel Policy to require mandatory drug testing after any accident involving a county or PSA employee.

The Board approved amending the policy to require mandatory drug testing after any accident involving a county or PSA employee and requested staff prepare appropriate wording and incorporate said wording into the county's personnel policy.

n. Endorsement of Green Planning Grant

As reported in the Board packet, the New River Valley Planning District Commission is requesting endorsement of an education and planning initiative focusing on the care of our physical environment.

The Board endorsed the grant application for an education and planning initiative focusing on the care of the physical environment.

o. Property, Auto, General Liability Workers Comp & Other Insurance for FY 07

As reported in the Board packet, due to the fees involved in paying the consultant to bid the coverages and the fact that the increase with VACo Pool is less than 1%, staff did not recommend bidding the insurance coverages out this year.

The Board concurred with staff recommendation and approved not bidding out the insurances for FY 07.

p. Dublin 100th Anniversary

The Board adopted the following resolution recognizing the Town of Dublin's 100th Anniversary:

**RESOLUTION OF COMMENDATION
TOWN OF DUBLIN'S 100TH ANNIVERSARY**

WHEREAS, the Town Dublin was founded 100 years ago, on March 14, 1906; and

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WHEREAS, the Town of Dublin's service to the citizen's of Pulaski County is sincerely appreciated by the Pulaski County Board of Supervisors; and

WHEREAS, the Board of Supervisors is appreciative of the cooperation of the Town of Dublin jointly serving our citizens through:

- Partnership in the construction of the New River Valley Airport nearly 50 years ago;
- Joint development of a centralized sewer treatment facility;
- Joint dispatch and law enforcement operations in cooperation with the Pulaski County Sheriff's Office;
- Development of the Town Center and Dublin Industrial Park;
- Utilization of the Dublin Industrial Park as the location of the Regional Jail and Pulaski County Humane Education Center and Animal Shelter;
- Construction of the Dublin Town Center Building and utilization of a portion of the building to house the County Recreation and PSA offices;
- Joint annual celebration of Independence Day;
- Joint utilization of the County's computer network, mainframe computer and GIS system; and
- Partnership with others in the development of the Commerce Park.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its appreciation to the Town of Dublin and its citizens; and

BE IT FURTHER RESOLVED, that the Pulaski County Board of Supervisors looks forward to another 100 years of joint service to our citizens through continued cooperation with the Town of Dublin; and

BE IT FURTHER RESOLVED, that text of this resolution be spread on the minutes of the Board of Supervisors in permanent testimony of its appreciation for the Town Dublin.

q. Jim Neblett Memorial Resolution

Mr. Huber reported on the recent passing of James Neblett, a local educator and community leader.

The Board directed county staff to prepare an appropriate memorial resolution for adoption by the Board at its March 27 Board meeting. Further, county staff was directed to invite Mr. Neblett's family to attend the March 27 Board meeting to accept the resolution.

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11. Citizen Comments

Ms. Jean Anderson thanked the Board for updating the sound system in the Board Room.

Ms. Anderson requested adequate lighting for the front of the County Administration Building. Further, staff was directed to develop an overall lighting plan for the County Administration Building.

Mr. E. W. Harless inquired as to the building code as it relates to outhouses. Mr. Harless disagreed with Supervisor Akers' comments regarding possibly requiring every household in Pulaski county to have water. Mr. Harless advised trash, etc. in front of households was not acceptable and a solution to the problem needed to be found.

12. Other Matters from Supervisors

There were no other matters presented by Board members.

13. Closed Meeting - 2.2-3711.A.1.3.5.7

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.

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

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Thomas Pifer Right-of-Way
- VHDA Project

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

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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.

- Log Home Start-up Company

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:

- Hiney Property

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

Voting no: none.

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Conner, seconded by Mr. Akers 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

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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:

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

▪ Appointments

1. Jamestown Committee

The Board appointed Judy Ison, Executive Director of the Fine Arts Center, to the Jamestown 2007 Committee.

2. Planning Commission

The Board reappointed Bill Kegley for an additional four year term on the Planning Commission, with said term expiring March 1, 2010.

3. Virginia's First Regional Industrial Facilities Authority

The Board appointed County Engineer Ron Coake as an alternate on the Virginia's First Authority.

4. Workforce Investment Board

The Board recommended an additional three-year term for Mr. Bill Harris on the New River/Mount Rogers Workforce Investment Board.

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

Voting no: none.

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14. Adjournment

On a motion by Mr. Hale, seconded by Mr. Conner 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, March 27, 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