

BOARD OF SUPERVISORS MEETING MINUTES OF SEPTEMBER 25, 2006

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, September 25, 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; Nancy M. Burchett, Assistant County Administrator; Shawn Utt, Community Development Director; and Gena T. Hanks, Clerk.

1. Invocation

The Board observed a moment of silence recognizing Kenneth J. Dobson.

The invocation was presented by Reverend C. R. Conner, First Pentecostal Holiness Church.

2. Recognitions

a. Memorial Resolution in Honor of Kenneth J. Dobson

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board adopted the following memorial resolution honoring Kenneth J. Dobson:

MEMORIAL RESOLUTION
KENNETH J. DOBSON

WHEREAS, Kenneth J. Dobson suffered an untimely death on September 16, 2006; and

WHEREAS, Kenneth J. Dobson served Pulaski County as a teacher, coach and administrator for 39 years in the Virginia School System; and

WHEREAS, Kenneth J. Dobson also served Pulaski County as a civic, business, church and community leader; and

WHEREAS, Kenneth J. Dobson's positive attitude, warm heart and kind and gentle nature was often displayed while spending time with the children in the schools throughout Pulaski County; and

WHEREAS, Kenneth J. Dobson was generous with his time and resources in furthering the progress of Pulaski County which included the consolidation of the Pulaski and Dublin high schools into Pulaski County High School offering a full and comprehensive

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curriculum through his hard work and dedication in the passage of the bond referendum making possible the funding of Pulaski County High School; and

WHEREAS, Kenneth J. Dobson encouraged professional development of employees within the school system and advocated both professional growth and advancement within the educational system; and

WHEREAS, Kenneth J. Dobson was a highly respected educational leader, not only in Pulaski County, but statewide; was able to get the most of the taxpayers dollars and was a man of much integrity; and

WHEREAS, Kenneth J. Dobson devoted his personal care and attention to administrators, teachers, school bus drivers, bus mechanics, cafeteria personnel, and maintenance employees alike, making them feel like an extended family.

NOW THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors does commend the long-standing, faithful service of Kenneth J. Dobson to the past, current and future citizens of Pulaski County; and

BE IT FURTHER RESOLVED, that the Board of Supervisors does extend sincere sympathy to the members of the Dobson family over their loss; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread on the minutes of the Board of Supervisors in permanent testimony to the service of Kenneth J. Dobson to the citizens of Pulaski County, this 25th day of September, 2006.

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

Voting no: none.

b. Featured Employees

The Board recognized Becky Rupe of the Circuit Court Clerk's Office and Elaine Gallimore of the Registrar's Office as the Featured Employees for the month of October. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee and presented Ms. Rupe and Ms. Gallimore with a gift certificate to Shoney's.

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c. Introduction of Gordon Jones, Pulaski County Finance Director

Mr. Huber introduced Gordon Jones as the new Finance Director for Pulaski County, along with wife Staci and daughter Sydney.

d. Presentation of Nameplate to Nancy Burchett

Mr. Conner presented Ms. Burchett the nameplate used during her service as Assistant County Administrator and Deputy Clerk for the Board of Supervisors meetings.

3. Additions to Agenda

Mr. Huber advised he had received an inquiry related to the potential for bringing Robin Hood Lane and Sherwood Forest Drive into the state system, and requesting review by VDOT to determine what would be involved in qualifying both roads for inclusion in the state secondary road system.

4. Public Hearings:

a. A rezoning request by **Trina D. Hylton (Minter)** from Residential (R1) to Agricultural (A1) on property identified as tax map no. 068-001-0000-0007, located at 4817 Shelburne Rd. (Rt. 690), (5.1640 acres), Ingles District

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the rezoning request. Mr. Utt explained the purpose of the hearing was to solicit input from the public regarding the rezoning request and advised the Planning Commission recommended approval of the request.

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 zoning request as noted above and as recommended by the Planning Commission.

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

Voting no: none.

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- b. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:
- i. Amendment to Article 1, Definitions Use and Design Standards, defining **windmills**.
 - ii. An amendment to Article 1, Definitions Use and Design Standards, defining and setting standards for **storage tanks, above ground**.
 - iii. An amendment to Articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing **storage tanks, above ground**, 10,000 gallons or less as a use by-right; An amendment to Articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing **storage tanks, above ground**, greater than 10,000 gallons as a use allowed by Special Use Permit; An amendment to Articles 2, 3, 4, 5A, 5B, 5C, 5D, 5F, 6A, 6B, and 7 modifying or deleting the requirement for a Special Use Permit (SUP) for **private tanks or pump stations (above ground)**.
 - iv. An amendment to Article 15-9, Shopping Center Permitted Signs.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the requested amendments. Mr. Utt explained the purpose of the hearing was to solicit input from the public regarding the zoning text amendments and advised the Planning Commission recommended approval of the request.

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 following zoning text amendments, as recommended by the Planning Commission.

- i. Amendment to Article 1, Definitions Use and Design Standards, defining **windmills**.

Windmill: A mill or machine installed at a height of no greater than 60 feet operated by the wind usually acting on oblique vanes or sails that radiate from a horizontal shaft. Possible uses would be a wind-driven water pump or electric generator.

- ii. An amendment to Article 1, Definitions Use and Design Standards, defining and setting standards for **storage tanks, above ground**.

Storage tanks, above ground: Tanks utilized for the storage of materials, solid, liquid or gas in form, either partially or wholly above grade. Tanks in excess of 10,000 gallons of liquid storage or 8,593 gallons of dry storage are permitted only by Special Use Permit with the exception of tanks used for storage of agricultural grain and/or feed. Pulaski County public water and sewer utility units shall require only a site plan review. Tanks less than 10,000 gallons liquid storage of 8,593 gallons of dry storage must meet only the following requirements:

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1. *If the materials stored in the tank are classified as hazardous, then the tank shall be double-walled;*
2. *The structural character, placement and maintenance shall meet the requirements of the Virginia Uniform Statewide Building Code;*
3. *The tank shall be at least 25 feet from all property lines;*
4. *The tank shall be protected from accidental vehicular collision by the placement of concrete bollards or barriers along any side of the tank abutting a parking area, parking space, alley, right-of-way or other area of vehicular access;*
5. *The tank shall not be directly behind, beside, or in front of a dumpster or other refuse collection area. There must be at least 15 feet of separation between any such refuse collection area and the storage tank;*
6. *When a tank is placed on a lot adjoining a residentially-zoned lot and the tank is within 150 feet of the dwelling on that residentially-zoned lot, the tank shall be shielded from view of that lot by landscaping as approved by the Zoning Administrator.*
7. *Tanks used for storage of agricultural grain and/or feed shall be excluded from these requirements.*

- iii. An amendment to Articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing storage tanks, above ground, 10,000 gallons or less as a use by-right; An amendment to Articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing storage tanks, above ground, greater than 10,000 gallons as a use allowed by Special Use Permit; An amendment to Articles 2, 3, 4, 5A, 5B, 5C, 5D, 5F, 6A, 6B, and 7 modifying or deleting the requirement for a Special Use Permit (SUP) for private tanks or pump stations (above ground).

ARTICLE 2: AGRICULTURAL DISTRICT (A-1)

2-1 Uses Permitted by Right

- *Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. **

2-3 Uses Permitted by Special Use Permit (SUP) Only

- *Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. **
- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:~~
 - a. ~~tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and~~
 - b. ~~tanks eight (8) feet in height or less and 1,000 gallons or less for agricultural uses.~~
 - c. ~~Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.~~

ARTICLE 3: CONSERVATION DISTRICT (C-1)

3-1 Uses Permitted by Right

- *Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. **

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

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *
- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:
 - a. tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and
 - b. tanks eight (8) feet in height or less and 1,000 gallons or less for agricultural uses.
 - c. Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.

ARTICLE 4: COMMERCIAL DISTRICT (CM-1)

4-1 Uses Permitted by Right

- Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

4-3 Uses Permitted by Special Use Permit (SUP) Only

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *
- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:
 - a. tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and
 - b. tanks eight (8) feet in height or less and 1,000 gallons or less for agricultural uses.
 - c. Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.

ARTICLE 6A: TRANSITIONAL INDUSTRIAL DISTRICT (IO)

6A-1 Uses Permitted by Right

- Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

6A-3 Uses Permitted by Special Use Permit (SUP) Only

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *
- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.

ARTICLE 6B: PLANNED INDUSTRIAL DISTRICT (PID)

6B-1 Uses Permitted by Right

- Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

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6B-3 Uses Permitted by Special Use Permit (SUP) Only

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *
- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.

ARTICLE 7: INDUSTRIAL DISTRICT (I-1)

7-1 Uses Permitted by Right

- Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

7-3 Uses Permitted by Special Use Permit (SUP) Only

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *
- Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.

ARTICLE 10: LANDFILL DISTRICT (LD-1)

10-2 Use Regulation by Special Use Permit (SUP) Only:

- Storage tanks, above ground, greater than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

ARTICLE 12: PUD DISTRICT (PUD)

12-2 Permitted uses

- Storage tanks, above ground, less than 10,000 gallons of gas or liquid storage or 8,593 gallons of dry storage. *

iv. An amendment to Article 15-9, Shopping Center Permitted Signs.

ARTICLE 15 – SIGN REGULATIONS

15-9 Shopping Center Permitted Signs 1

In addition to all other permitted signs, shopping malls with more than twenty-five thousand (25,000) square feet of retail floor space under one roof may have wall signs with sign area above and beyond the maximum allowable sign area as permitted in other sections of this Article, subject to the following requirements: 2

15-9.1 There shall be no more than one sign per store, not including permitted business location signs of ten (10) square feet or less, for all retail with between twenty-five thousand (25,000) and sixty thousand (60,000) square feet of retail floor space.

Wall signs shall be no larger than ten percent (10%) of the area of the wall. This includes allowances for corner stores where there may be more than one wall visible.

1 Amended 08/25/2003

2 Amended Paragraph 12/19/2005

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For all stores with more than sixty thousand (60,000) square feet, there shall be no minimum number of signs, provided the total square footage does not exceed five percent (5%) of the wall area.

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

Voting no: none.

5. Highway Matters:

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

a. Follow-up from Previous Board Meeting:

1. Rural Addition Update

Mr. Clarke provided an update on the rural addition standards and advised modifications to the Subdivision Ordinance will need to be made but that localities are now allowed to put 5% of secondary road funds towards the improvement of private roads for inclusion in the state system as rural additions.

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

The Board reviewed the highway matters portion of the Key Activity Timetable.

Mr. Clarke advised Big Valley Road and Fairway Lane qualify for statutory 25 mph posting.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board approved posting Fairway Lane and Big Valley Drive at 25 mph.

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

Voting no: none.

The Board directed county staff to send a letter to the individual making the initial inquiry regarding the request for guardrail on Lee Highway advising VDOT standards do not allow for placement of guardrail.

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Mr. Clarke advised signage had been installed at Walmart and Lowes in Fairlawn. Mr. Clarke advised he was determining if the street name can be added to the signage and would provide an update at the October Board meeting.

Mr. Sheffey advised letters had been sent to managers of both Lowe's and Wal-Mart in Fairlawn alerting drivers of which road to use when entering Lowe's and Wal-Mart.

3. A request pertaining to the prohibition of through truck traffic going north on Route 738 beginning at State Route 641, Cox Hollow Road

Mr. Clarke reminded Board of the public hearing held at the August 28 meeting. Sheriff Davis advised of only one complaint, to his knowledge, regarding this matter. Mr. Clarke and Board members concurred with utilizing signage as way of warning drivers of the winding road and switchbacks, with updates to be provided by VDOT as needed.

4. Rt. 11 Entrance Sign Update

Mr. Clarke advised of new management in the VDOT traffic engineering department. Mr. Clarke suggested reducing the height of the signage, with a 3½ foot maximum in order to allow drivers to see across the top of the sign. Mr. Sheffey requested county staff use a superimposed sign to be submitted to the Board for review. An alternative location to the right of the bridge was discussed as was signage to the side of the bridge midway across the river. Mr. Clarke also advised of a program within VDOT which allows private maintenance of certain sections of signs. The Board directed county staff to review all matters discussed and provide an update at the October Board meeting.

b. Tractor Trailer Restriction in Parrott and Belspring

As reported above, Mr. Clarke advised signage had been installed at Wal-Mart and Lowe's in Fairlawn. Mr. Clarke advised he was determining if the street name can be added to the signage and would provide an update at the October Board meeting.

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c. Request for Speed Limit Reduction on Wilderness Road

Mr. Huber advised of a request from the Town of Dublin for speed limit reduction to meet the sight distance requirements and to provide for better access by trucks to the Dublin Industrial Park. John Wenrich advised he and other residents of Staff Village were not in favor of allowing additional access onto Wilderness Road from the Dublin Industrial Park. Mr. Wenrich further advised the Dublin Town Manager and Council had promised residents of Staff Village that an access road to the Dublin Industrial Park would not be made to Wilderness Road. By consensus, the Board requested an informal speed study for the entire road. County staff was directed to contact the Dublin Town Manager to determine what commitments had previously been reached between the Town of Dublin and Staff Village residents.

d. Summary from VDOT Regarding Political Signage on State Right-of-Ways

The Board reviewed the standard letter prepared by VDOT for sending to election officials regarding political signage on state right-of-ways.

e. Request for Improvements and/or Speed Reduction from Memorial Bridge to intersection of Lee Highway and Rt. 114

Mr. Huber presented a request for changing the speed limit and also for synchronization of traffic lights on Route 11 from Memorial Bridge to the intersection with Rt. 114. VDOT agreed to review the matter and provide an update at the October 23 meeting.

f. Traffic Calming on Charles Street in Dublin

Mr. Clarke advised of a request from Ms. Katherine Viars of Charles Street regarding traffic cutting through her neighborhood at high speeds and ignoring the stop signs. Mr. Clarke further explained a formalized process for installing features in a roadway designed to slow traffic, with funding for this type of project to come from six-year road funds. Mr. Clarke advised he had suggested Ms. Viars attend the six-year road plan hearing scheduled for the Board's October meeting to present her concerns.

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g. Citizen Comments

Ms. Jean Anderson advised of the sign on Thornspring Heights coming off of the pole. Mr. Clarke agreed to have VDOT to repair the pole.

Mr. Jeff Levy inquired regarding the speed reduction request submitted previously for Gate 10 Road. Mr. Clarke agreed to provide the Board with the speed study results its October meeting.

h. Board of Supervisors Concerns

Mr. Conner inquired regarding the status of horseback riding signs on Little Creek. Mr. Clarke agreed to have the matter reviewed and provide an update at the October Board meeting.

Mr. Akers inquired regarding the status of brush cutting, specifically along Fariss Mines Road and Lowman's Ferry Bridge. Mr. Clarke agreed to review the matter and provide an update at the October Board meeting.

6. Treasurer's Report

Treasurer Rose Marie Tickle presented the monthly report.

7. Citizens' Comments

There were no citizen comments.

8. Presentation by New River Design and Development

Mr. Jeff Levy, Computer Aided Drafting (CAD) instructor at New River Community College (NRCC) presented two videos of work by NRCC students, one of which was a proposed recreation facility and the other related to the Volvo Center for Excellence facility. Mr. Huber clarified that the project related to the recreation facility had not been sponsored by the county but was part of an exercise by the NRCC CAD students.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail.

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Mr. Akers questioned the status of obtaining easements at Highland Park. Mr. Huber reported 60% completion on obtaining easements.

The Board requested an update from the Code Enforcement Officer on recent activities be provided at an upcoming Board meeting.

Mr. Huber advised that as a result of Code Enforcement activities, changes are expected to come before the Board for property maintenance Standards. Mr. Huber suggested working with the Town of Pulaski as a joint effort

b. Appointments:

Action regarding appointments was deferred to Closed Session.

10. Items of Consent:

On a motion by Mr. Hale, seconded by Mr. Conner 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 August 28 and 30, 2006

The Board approved the minutes of the August 28 and 30, 2006 meetings.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 24197 through 24757, subject to audit.

c. Appropriations and Interoffice Transfers

The Board approved the following monthly appropriations and Interoffice Transfer #3 totaling \$52,888.81:

GENERAL FUND # 5	
Revenues:	
019020-400 – Recovered Costs Hazardous Materials Spill	\$840.00
018030-0200 – Refund – Wellness Program Employee VML	8,573.00
041010-0100 – Insurance Recoveries	9,898.81
018990-2800 – Donation Sheriff's Office - Wal-Mart	1,000.00

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Seized Assets – Comm. Attorney	19.75
Total	\$20,331.56
Expenditures:	
035500-8101 – Emergency Management Machinery & Equipment	\$840.00
012220-3115 – Personnel – Employee Wellness	8,573.00
031200-6010 – Sheriff’s Office Police Supplies	1,000.00
022100-6017 – Comm. Attorney’s Office Seized Assets	19.75
071320-8102 – Randolph Park Furniture & Fixtures	10,898.81
021500-8101 – J & D Court Machinery & Equipment	3,200.00
TOTAL	24,531.56
# 1 INTER-FUND TRANSFERS	
Revenues:	
Total	-0-
Expenditures:	
401-095100-9115-01 – Economic Stimulus Volvo	\$ -342,850.00
100-012420-1110 – Finance Director – Salaries & Wages	58,333.00
100-012420-2100 – Finance Director – FICA	4,463.00
100-012420-2210 – Finance Director- VRS	6,720.00
100-012420-2220 – Finance Director – VRS Health Care Credit	426.00
100-012420-2300 – Finance Director - Medical Insurance	8,100.00
100-012420-2400 – Finance Director – Group Insurance	659.00
100-012420-2700 – Finance Director – Worker’s Comp	93.00
100-012420-2835 – Finance Director – Notary Application	35.00
100-012420-2900 – Finance Director- Health Advocate	12.00
100-012420-4700 – Finance Director – Central Copier	100.00
100-012420-4800 – Finance Director – Central Postage	100.00
100-012420-5230 – Finance Director- Telecommunications	400.00
100-012420-5510 – Finance Director – Travel Mileage	300.00
100-012420-5540 – Finance Director – Travel Convention & Education	150.00
100-012420-5850 – Finance Director – Other Miscellaneous	113.00
100-012420-6001 – Finance Director – Office Supplies	400.00
100-012420-8101 – Finance Director – Machinery & Equipment	2,096.00
100-31200-4604 – Sheriff’s Office – Internal Service Fund	240,000.00

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Mileage	
100-071380-3170 – County Celebration – Fireworks	15,000.00
100-072510-5850 – County History Publication – Sales Tax	50.00
100-092100-5861 – Tax Refunds – Treasurer’s Interest	300.00
100-092110-5850 – Misc. Revenue Refunds	5,000.00
TOTAL	-0-
SCHOOL FUND #6	
Revenues:	
3-205-033020-1100 – Title III LEP	\$-1,920.00
3-205-033020-4300 – Twenty First Ctr.	77,580.00
Total	\$-79,500.00
Expenditures:	
4-205-062131-6013-900-000-907 – Instructional supplies	\$1,920.00
4-205-061100-1121-212-100-954 – Salaries teachers	77,580.00
TOTAL	\$79,500.00
SCHOOL FUND # 7	
Revenues:	
3-205-18030-0330 – School Activity Reimbursement	\$175.00
3-205-16120-1100 – Sub Teacher Fees	-2,452.56
3-205-18030-0320 – School Nurse Services	-28,441.62
Total	\$-30,719.18
Expenses:	
4-205-62190-8106-900 – Technology EDP Replacement	1,240.38
4-205-63200-1181-900 – Bus Drivers Salaries	27,830.76
4-205-63200-6009-900 – Transportation Supplies	1,648.04
TOTAL	\$30,719.18
SCHOOL FUND # 8	
Revenues:	
3-205-033020-1700 – Assistive Technology	\$-11,032.00
3-205-033020-4800 – Title I Part D	-1,703.00
Total	\$-12,735.00

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Expenditures:	
4-205-061100-6013-200-200-955 – Instructional supplies	11,032.00
4-205-061100-6013-200-100-993 – Instructional supplies	1,703.00
TOTAL	\$12,735.00
SCHOOL FUND # 9	
Revenues:	
3-205-024020-4300 – VTSF Virginia Tobacco Grant	\$-65,165.00
Total	\$-65,165.00
Expenditures:	
4-205-062130-3850-900 – Purchase of services other gov.	\$45,115.00
4-205-062130-3141-900 – Other professional services	3,375.00
4-205-062130-5540-900 – Convention and edu	4,471.00
4-205-62130-6001-900 - Office Supplies	1,200.00
4-205-062130-6013-900 – Instructional supplies	9,644.00
4-205-062130-5806-900 – In-direct cost	1,000.00
4-205-062130-5800-900 – Miscellaneous	360.00
TOTAL	\$65,165.00

d. Ratification of Contracts, Change Orders & Agreements:

1. Mutual Aid Agreement – Virginia Department of Corrections
Camp 1 Facility

The Board approved the mutual aid agreement with the Virginia Department of Corrections Camp 1 facility, a copy of which is filed with the records of this meeting.

2. Memorandum of Understanding – New River Pre-Trial
Services (formerly Community Corrections)

As reported in the Board packet, the Board was presented with a memorandum of understanding worked out between the New River Pre-Trial Services (formerly Community Corrections) and the Mental Health Association with the two agencies having drafted the agreement for purposes of identifying and supervising court approved participants in the Bridge Program which provides a post booking/pretrial release option for individual with mental

illness and related drug abuse problem. It was further reported the county is being asked to sign the agreement since Pulaski County is the fiscal agent for New River Valley Pre-Trial Services.

The Board ratified the previous signature of the agreement, a copy of which is filed with the records of this meeting.

3. Memorandum of Agreement – Virginia Juvenile Community Crime Control Act

The Board approved the memorandum of agreement for the Virginia Juvenile Community Crime Control Act, a copy of which is filed with the records of this meeting.

4. Techweb Partners-Services Contract

As reported in the Board packet, approval is requested of the contract for the preparation of the Jamestown 2007 brochure by NRCC.

The Board approved the contract with Techweb Partners, a copy of which is filed with the records of this meeting, for the purpose of preparing the Jamestown 2007 brochure.

5. Verizon 9-1-1 Network Application for Service

As reported in the Board packet, approval is requested of an agreement with Verizon for application for service. The Board approved said agreement and a copy is filed with the records of this meeting.

6. Memorandum of Agreement with PDC to Broker Water

As reported in the Board packet, approval of the agreement rests with the PSA Board of Directors; however, consent by the Board of Supervisors was requested, since this action would impact relationships with other localities.

The Board consented to the agreement, a copy of which is filed with the records of this meeting.

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e. Personnel Changes

The Board reviewed recent personnel changes as prepared by Ms. Burchett.

f. Salary Increase for Election Officials

As reported in the Board packet, a request had been received from Electoral Board Secretary Sybil Atkinson for an increase in the fee paid poll workers by \$5.00 per worker, bringing the total pay to \$100.00 for each Election Day.

The Board of Supervisors approved an increase of \$5.00 per worker, for a total pay of \$100.00 per poll worker, per election day.

g. Nepotism Policy

The Board approved the following Nepotism Policy, subject to review and concurrence by County Attorney Tom McCarthy:

NEPOTISM POLICY

I. NEPOTISM

When a job opening becomes available in the County of Pulaski it is possible that applicants may be immediate relatives of county employees. The county discourages hiring these relatives due to conflict among relatives or other employees feeling the relative would be benefited or treated differently than normal.

II. RELATIVE EMPLOYMENT

- A. The County of Pulaski will not hire an applicant if the direct supervisor or department manager is in relation either by blood or by marriage.
- B. However the applicant may be hired in a different department not in association to the relative supervisor or department manager.
- C. Applicants will not be hired if the position is in direct relation to a relative that is part of the County of Pulaski administration including executive secretary, assistant county administrator, county administrator, county attorney, and county treasurer, etc.
- D. Also the general registrar (of the county) shall not appoint to the office of paid assistant registrar his spouse or any person, or the spouse of any person, who is his parent, grandparent, sibling, child, or grandchild. *Assistants to general registrars; employees Virginia Code 24.2-112.*

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- E. Relatives and family members more distant than the immediate family may be hired in direct relation to department managers but must be approved by administration.
- F. Relatives and family members more distant than the immediate family (i.e. third cousin) may be hired in direct relation to county administration but must be approved by the Board of Supervisors.
- G. Relatives of immediate family members will not be hired to work in the same department as each other.

III. MARRIAGE BETWEEN EMPLOYEES

- A. If two employees of the same department were to marry, it is up to the discretion of the County Administrator if the couple will be allowed to work together in the same department in the future.

IV. DEFINITION OF NEPOTISM

- A. Applicants in this Nepotism policy are defined as:
 - 1. Relative – any person, that is blood related to a spouse of the employee, or the employee **not** living in the same household as the employee such as siblings, cousins, grandparents, uncles and aunts.
 - 2. Immediate Family – a spouse, children, parents, brothers and sisters, and any other person living (or not living) in the same household as the employee. *Virginia Code 2.2-4368.*
- h. Resolution of Virginia's First Regional Industrial Facility Authority Recommending Application for ARC Funding for Telecommunications Projects

The Board approved the following resolution seeking financial support for regional fiber optic interconnections.

**RESOLUTION OF
PULASKI COUNTY BOARD OF SUPERVISORS
RECOMMENDING APPLICATION FOR APPALACIAN REGIONAL
COMMISSION FUNDING FOR TELECOMMUNICATIONS PROJECTS**

WHEREAS, Virginia's First Regional Industrial Facility Authority (**the "Authority"**) was created in part by the Pulaski County Board of Supervisors under the provision of § 15.2 6400 Code of Virginia to improve the economy of the fifteen localities in Western Virginia, and

WHEREAS, The Authority has identified the development of the New River Valley Community Broadband Network (NRVCBN), as an important project for the region and its economic development, and

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WHEREAS, The Authority formed the New River Valley Regional Broadband Network Participation Committee to study, plan and develop a broadband network that benefits the jurisdictions represented by the Authority, regional businesses, members of the community, the local economy, regional education institutions and emergency personnel, and

WHEREAS, The Appalachian Regional Commission (ARC), under the authority of the Appalachian Regional Development Act of 1965, provides grants for telecommunications projects, and

WHEREAS, Eligible projects for telecommunications grants funded by ARC include strategic community planning, equipment acquisition, and hardware and software for network building, and

WHEREAS, Pursuing ARC telecommunications grants for the New River Valley Community Broadband Network under the name of the Authority would be worthwhile and beneficial to the County and the region as a whole.

NOW, THEREFORE, be it resolved by the Pulaski County Board of Supervisor endorses and supports Virginia's First Regional Industrial Facility Authority's application for ARC funding in the name of the Authority for the New River Valley Community Broadband Network in a sum not to exceed \$500,000 (five-hundred thousand dollars). The Authority recognizes that ARC funding will require matching funds in a like amount.

This Resolution shall take effect immediately.

i. Rural Development Funding for Dublin Fire Dept. Equipment

As reported in the Board packet, a \$50,000 grant for purchase of Dublin Fire Department equipment was received.

The Board approved related resolutions, and all necessary acts required for the implementation of this grant.

j. Department of Environmental Quality Litter Control Grant

As reported in the Board packet, \$7,808 in litter control funds from the Commonwealth has been announced.

The Board authorized taking all acts necessary required for the implementation of this grant, as well as funds earmarked for use in the Town of Pulaski (an additional \$3,067).

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k. Hiwassee Fire Department Vehicle Purchases

As reported in the Board packet, the Board was being requested to approve purchase of a fire pumper (\$194,000) and mini pumper (\$154,000) truck offset by the trade in of a 1981 Ford pumper (-\$4,000).

The Board approved the purchase of a fire pumper (\$194,000) and mini pumper (\$154,000) truck offset by the trade in of a 1981 Ford pumper (-\$4,000).

l. Staffing of Circuit Court Clerk's Office

As reported in the Board packet, Circuit Court Clerk Maetta Crewe had submitted a request for continued funding of two County paid positions in the Clerk's office, as well as the funding of a new Deputy Clerk 1 position to be paid by the Compensation Board.

The Board approved filling the new position fully funded by Compensation Board and maintaining two county funded positions, conditional on the office staff working a 40-hour week and sharing of employees funded by the Board.

m. VDOT Six-Year Primary Road Priorities

As reported in the Board packet, VDOT had notified county staff of a public hearing to be held at 6:00 p.m. on October 17, 2006 at the Salem Civic Center to obtain comments regarding District-wide primary road needs.

The Board approved submitted the following requests:

1. Repair of the Route 114 westbound bridge across the New River;
2. Four laning of Route 11 between Fairlawn and Dublin;
3. Four laning of Route 99 between I-81 and the Town of Pulaski Corporate limits;
4. Dangerous curves in I-81 exit ramps at exit 89 and 98;
5. Improved access to the New River Valley Truck Assembly and James Hardie plants from I-81; and
6. Completion of the remaining section to 4-lane Route 100 from Dublin to Route 460.

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n. Constitution Week Proclamation

The Board ratified the following Constitution Week Proclamation:

By virtue of the authority vested by the Constitution in the Board of Supervisors of the County of Pulaski, there is officially recognized:

CONSTITUTION WEEK

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

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

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

WHEREAS, the 219th anniversary of this historic event allows us to reflect upon our rights and responsibilities as Americans and to celebrate the foresight demonstrated by the framers of the Constitution;

NOW, THEREFORE, I Joseph Sheffey, Chairman, Board of Supervisors, do hereby recognize September 17-23, 2006, as CONSTITUTION WEEK in the COUNTY OF PULASKI and I call this observance to the attention of all our citizens.

10. Citizen Comments

There were no citizen comments.

11. Other Matters from Supervisors

Mr. Hale requested the county's web site be updated to include pictures of all Board members. Ms. Burchett advised work had begun on upgrading the site.

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Mr. Sheffey advised of holes in the picnic shelter at the Belspring picnic shelter. He also advised of fencing that had been removed and left on the ground. The Board directed county staff to review the need for repairs to shelter and removal of fencing.

12. 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. Pratt, seconded by Mr. Hale 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:

- Fairview Home
- Implementation of Space Needs Study
- New Industrial Park
- Health Department Relocation

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
- Regional Agency Personnel
- Fairview Home

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.

- Findlay Industries Loan
- Commercial Development

Legal Matters – Pursuant to Virginia Code Section 2.2-3711(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

- Injury Claim

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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 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. Akers and carried, the Board approved the following appointments:

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▪ Appointments

1 Board of Zoning Appeals (Alternate)

The Board directed staff to invite Nick Glenn to consider serving as an alternate on the BZA Board and provide update at the October Board meeting.

2. Wireless Authority

The Board requested staff invite Mr. Richard Stoots to consider serving on the Wireless Authority and provide an update at the October Board meeting.

3. Workforce Investment Act Chief Elected Official Alternate

The Board appointed Shawn Utt as Mr. Sheffey's alternate on the Workforce Investment Board.

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

Voting no: none.

13. Adjournment

On a motion by Mr. Hale, seconded by Mr. Conner and carried, the Board of Supervisors adjourned its regular meeting with the next meeting scheduled for Monday, October 23, 2006 at 7:00 p.m. in the Board of Supervisors Meeting 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