

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, October 23, 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; Shawn Utt, Community Development Director; Dari Jenkins, Zoning Administrator; and Gena T. Hanks, Clerk.

1. Invocation

The Board observed a moment of silence recognizing Bettye Steger.

The invocation was presented by Reverend Hugh Kilgore of Pulaski United Methodist Church.

2. Recognition - Featured Employees

The Board recognized Carol Smith of the Pulaski County Library and Jim Bell of Information Technology as the Featured Employees for the month of November. Mr. Sheffey read a detailed description of the job duties and personal interests of each employee and presented Ms. Smith a gift certificate to Shoney's. Mr. Bell was unable to attend the meeting.

3. Additions to Agenda

Mr. Huber advised there were no additional items for the agenda at this time.

4. Public Hearings:

a. Six Year Secondary Road Plan

Mr. Sheffey introduced VDOT Resident Engineer David Clarke and requested Mr. Clarke provide an explanation regarding the Six-Year Secondary Road Plan. Mr. Clarke reviewed in detail the improvements planned for each road on the six year plan.

Mr. Clarke explained all road funding is taken from funds collected through the state gasoline tax, state titling tax and one-half cent of the state sales tax. He confirmed that no local funds are used to fund road improvements and that Virginia has one of the lowest gas taxes in the United States. He further stated the funds for road improvements are allocated under a formula set by state law.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

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

Mr. Conner requested Hatcher Road be moved up on the six year plan. The Board directed Mr. Clarke to prepare a final six year plan for review and approval at the Board's November 27 Board meeting.

b. SAFTEA-LU Grant Application – Newbern Area Transportation Enhancements

Chairman Sheffey opened the public hearing to receive public comments on a grant application titled "Newbern Area Transportation Enhancements" to be submitted for the Transportation Enhancement Program through the Virginia Department of Transportation. The proposed project includes the construction of additional sidewalks located around the Wilderness Road Regional Museum, additional off-street parking, and additional signage for the Newbern community.

Mr. Shawn Utt, Pulaski County Community Development Director, described the proposed project in detail, as well as the application process.

Mr. Bob Henegar also described the proposed project and spoke in favor of the request. There being no further comments, the public hearing was closed.

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

On a motion by Mr. Conner, seconded by Mr. Akers and carried, the Board of Supervisors approved a grant application titled "Newbern Area Transportation Enhancements" to be submitted for the Transportation Enhancement Program through the Virginia Department of Transportation, which includes the construction of additional sidewalks located around the Wilderness Road Regional Museum, additional off-street parking, and additional signage for the Newbern community.

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

Voting no: none.

c. SAFTEA-LU Grant Application – Regional Bikeway/Walkway Connection, Phase 1

Chairman Sheffey opened the public hearing to receive comments on a grant application titled "Regional Bikeway/Walkway Connector, Phase 1" to be submitted for the Transportation Enhancement Program through

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

the Virginia Department of Transportation. The proposed project includes the engineering and analysis of a connector trail from the towns of Dublin and/or Pulaski to Randolph Park, with future connections to be made include a connector bikeway/walkway trail to the Riverway Trail network in the City of Radford and the Huckleberry Trail in Montgomery County.

Mr. Shawn Utt, Pulaski County Community Development Director, described the proposed project in detail, as well as the application process.

Mr. Fess Green spoke in support of the proposed project and welcomed the improvements. Mr. Green advised he saw the project as an improvement to the overall quality of life.

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

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board of Supervisors approved a grant application titled "Regional Bikeway/Walkway Connector, Phase 1" to be submitted for the Transportation Enhancement Program through the Virginia Department of Transportation. The proposed project includes the engineering and analysis of a connector trail from the towns of Dublin and/or Pulaski to Randolph Park, with future connections to be made include a connector bikeway/walkway trail to the Riverway Trail network in the City of Radford and the Huckleberry Trail in Montgomery County.

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

Voting no: none.

- d. A rezoning request by **Richard H. Mansell & Audrea Carole Pratt** from Commercial Conditional (CM1 Cond.) to Commercial Conditional (CM1 Cond.) on property identified as tax map no. 055-001-0000-055A, located on the east side of Cougar Trail Rd. (Rt. 643) approximately 400 ft. south of Lee Hwy. (Rt. 11), (11.7280 acres), Draper District. The property is designated as Commercial and Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan. General uses proposed are business uses at a proposed density of no greater than one business per 10,000 square feet.

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 described the proposal and 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.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

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.

- e. A rezoning request by **Alfred L. Jr. & Stephanie L. Blankenship** from Residential (R1) to Agricultural (A1) on properties identified as tax map parcels 063-001-0000-0254, 256, 257, 258, located at 4976 Old Robinson Tract Rd., (Rt. 793), (13.517 acres), Robinson District. The property is designated as Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan. General uses proposed are farming with related agricultural activities and single-family residences at a proposed density of no greater than one dwelling per 30,000 square feet.

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 described the proposal and 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. Hale, 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.

- f. An application by **Alfred L. Jr. & Stephanie L. Blankenship** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to amend the following section(s) of the Pulaski County Zoning Ordinance.

- Amendment to **Article 1, Definitions Use and Design Standards**, defining an **Vineyard/Winery and/or Agritourism**;

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

- Amendment to the Zoning Ordinance allowing a Vineyard/Winery and/or Agritourism as a use either by-right or by Special Use Permit in the Agricultural (A1), and Conservation (C1), Zoning Districts.

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 described the proposal and 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. Conner, seconded by Mr. Hale and carried, the Board approved the following zoning text amendments, by right, as recommended by the Planning Commission (Please note that deletions are shown in ~~strikethrough~~, and additions are *shaded and italicized*):

Article 1, Definitions, Use and Design Standards

"Agritourism" means, as defined in § 3.1-796.137 of the Code of Virginia, any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity.

An **agritourism** activity must meet the following standards:

1. A "Notice of Warning" shall be posted with the following information: "WARNING: Under Virginia law, there is no liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism location if such injury or death results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to land, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity." This notice is in accordance with the Code of Virginia, § 3.1-796.139.B.
2. When adjoining a parcel used for residential purposes, the following shall apply:
 - a. The shared property line shall be screened by landscaping approved by the Zoning Administrator.
 - b. A buffer area of at least twenty (20) feet must be provided along the property line where that residential use is. This area shall be kept clear of any materials, vehicles or other equipment at all times.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

- c. Any exterior lighting must be directed down and away from the lot line of the adjoining residential use, and must be less than twenty (20) feet in height when within seventy-five (75) feet of the lot line.
 - d. Hours of operation shall not exceed the period from 6:00 a.m. to 10:00 p.m. when the agritourism activity is located within 500 feet of an off-premises residence.
3. A site plan review shall be required per Article 18, Site Development Plan.

ARTICLE 2: AGRICULTURAL DISTRICT (A-1)

Statement of Intent

This district is designed to accommodate farming, forestry, and recreational and limited residential uses. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district.

2-1 Uses Permitted by Right

Within the Agricultural District (A-1), the following uses are permitted by right. An asterisk (*) indicates additional, modified, or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Agritourism activities*

ARTICLE 3: CONSERVATION DISTRICT (C-1)

Statement of Intent

This district covers portions of the County which are occupied by various open spaces such as steep slopes, forests, parks, farms, marshland, lakes, or stream valleys. This district is established for the specific purpose of facilitating existing and future farming operations, conserving water and other natural resources, reducing soil erosion, protecting water sheds, reducing hazards from flood and fire and preserving wildlife areas of the County. This district also includes those areas designated as state forests and state parks. The district should allow for recreational uses compatible with its natural conservation purpose.

3-1 Uses Permitted by Right

Within the Conservation (C-1), the following uses are permitted by right. An asterisk (*) indicates additional, modified, or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Agritourism activities*

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

- g. A request for Special Use Permit (SUP) by **Alfred L. Jr. & Stephanie L. Blankenship** to allow a Vineyard/Winery on property identified as tax map parcels 063-001-0000-0254, 256, 257, 258, located at 4976 Old Robinson Tract Rd., (Rt. 793), Robinson District.

Mr. Sheffey explained that due to item "f" being passed "by right", no public hearing or action by the Board was needed.

- h. A request for amendment to a Special Use Permit (SUP) by **Holston River Quarry, Inc.** to allow expansion of quarrying activities on property identified below, located south of Wilderness Rd. (Rt. 611) and approximately 0.28 mile west of its intersection with State Park Rd. (Rt. 660), 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 special use permit request. Mr. Utt described the proposal and explained the purpose of the hearing was to solicit input from the public regarding the request and advised the Planning Commission recommended approval. Mr. Utt also read the specific proffers offered by the applicant.

Mr. Sheffey opened the public hearing.

Mr. John Wenrich, a resident of Staff Village, requested the Board consider the effects the proposed expansion would have on the residents located around the Holston River Quarry. He advised there were a number of homes in the Staff Village community that had experienced cracked walls which Mr. Wenrich believes to be due to the blasting by Holston River Quarry.

Ms. Cindy Wenrich spoke in opposition to the proposed expansion citing blasting concerns and the potential for increased blasting impact. Ms. Wenrich also presented a chart from the Department of Mines, Mineral and Energy (DMME) detailing a seismograph reading showing human and structural response upon a blast by Holston River Quarry. Mr. Wenrich requested the Board restrict the size of the proposed expansion or reduce the blasting levels by the quarry.

Mr. M. J. O'Brien, President and Chief Executive Officer of Holston River Quarry, introduced Quarry Manager Tony Landreth, as well as Mr. William Cole, the Contract Engineer for the Quarry. Mr. Cole answered several technical questions posed by the Board and advised the seismograph presented was one tenth of what the maximum DMME limit required. Mr. Cole also advised the quarry had blasted approximately 18

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

times in 2006, with two to three additional blasts expected to occur during the remainder of 2006.

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 amendment to the special use permit, as recommended by the Planning Commission, with the following conditions:

1. This Special Use Permit shall be exempt from the requirements of Article 17-3.11 until such time that all activities have ceased on all parcels identified in this request for a period of 24 consecutive months.
2. All quarrying, excavating, drilling, blasting or stockpiling shall be conducted between the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday and 7:00 a.m. to 3:00 p.m. on Saturday. The quarry may be permitted to operate for additional hours with written permission of the Zoning Administrator.
3. All quarry operations shall comply with all Federal and State regulations, including, but not limited to those of the Department of Mines, Minerals, and Energy and the Department of Environmental Quality Air and Water Divisions.
4. No quarrying, excavating, drilling, blasting or stockpiling shall be permitted within 100 feet of the property line of an inhabited dwelling with the exception of the location of office buildings and entrance roads.
5. The water level in the monitoring well shall be measured and recorded quarterly. The results shall be retained and available for inspection by the Zoning Administrator.
6. All salvage equipment or junk will be disposed of under requirements of the Department of Mines, Minerals and Energy.

Mr. Hale requested the Board strike condition two allowing for operations of the quarry in addition to the hours of 7:00 a.m. to 5:00 p.m. Mr. O'Brien requested the Board keep item two intact allowing for leeway to meet the demand of contractors and to allow VDOT the option of taking care of an emergency situation. The original motion passed on the following roll call vote:

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

Voting no: Mr. Hale.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

- i. A request for Special Use Permit (SUP) by **KFC US Properties, Inc.** to allow an electronic changeable copy sign per Article 15-12 on property identified as tax map no. 039-013-0000-0003, (.6250 acres), zoned Commercial (CM1), located at 7420 Lee Hwy. (Rt. 11), Cloyd District.

Mr. Sheffey explained the purpose of the public hearing and called on Community Development Director Shawn Utt to provide additional details on the special use permit request. Mr. Utt described the proposal and explained the purpose of the hearing was to solicit input from the public regarding the request and advised the Planning Commission recommended approval with a change to condition two which would allow for only one electronic message on the sign after hours, rather than changing messages after closing of the business.

Mr. Sheffey opened the public hearing. There being no citizens comments, the public hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board approved the special use permit, as recommended by the Planning Commission with the following conditions:

1. Electronic changeable copy message shall be displayed for a minimum of five (5) seconds prior to changing the message.
2. Electronic changeable copy messages may be displayed only during the hours which the restaurant is open for business. At the close of business the sign may remain on; however, only one message may be displayed. Upon reopening for business, changeable copy messages may be displayed as specified in item one (1) above.
3. Electronic changeable copy sign must comply with all Virginia Department of Transportation (VDOT) requirements.
4. Electronic changeable copy message shall not create a glare onto to adjacent properties or onto any right-of-way.
5. No animated messages (text or objects) shall be displayed.

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

Voting no: none.

- j. A request for Special Use Permit (SUP) by **William Craft** adjacent to property owned by **WRLC3 Investments L L C** to allow an exception to limitations on piers and private dock facilities on property identified as tax map no. 067-008-0000-0025, (undetermined acreage), zoned Residential (R1), located northeast of Lakeland Rd., (private road), Ingles District.

Mr. Sheffey explained the purpose of the public hearing and called on Zoning Administrator Dari Jenkins to provide additional details on the special use permit request. Ms. Jenkins described the proposal and

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

explained the purpose of the hearing was to solicit input from the public regarding the request and advised the Planning Commission recommended approval.

Mr. Sheffey opened the public hearing.

Mr. William Craft provided details regarding the proposed request, including background information related to the ownership of the lot. Mr. Craft explained it was his intention to construct a dwelling at some point in the future; however, the reason for this request is to gain approval for construction of a dock with a lift to serve the future dwelling.

Mr. Clarke Cunningham stated he is not against Mr. Craft's dock, but that he would also like to have the ability to construct a dock.

There being no additional citizens comments, the public hearing was closed.

Supervisor Akers requested the Board consider holding the second public hearing before making a decision on this matter.

On a motion by Mr. Akers, seconded by Mr. Hale 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.

- k. A request for Special Use Permit (SUP) by **William Cunningham** adjacent to property owned by **WRLC3 Investments L L C** to allow an exception to limitations on piers and private dock facilities on property identified as tax map no. 067-008-0000-0025, (undetermined acreage), zoned Residential (R1), located northeast of Lakeland Rd., (private road), Ingles District.

Mr. Sheffey explained the purpose of the public hearing and called on Zoning Administrator Dari Jenkins to provide additional details on the special use permit request. Ms. Jenkins described the proposal and explained the purpose of the hearing was to solicit input from the public regarding the request and advised the Planning Commission recommended approval. Ms. Jenkins also advised the Planning Commission recommended the Board of Supervisors receive legal counsel from the County Attorney regarding this request prior to taking action.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

Mr. Sheffey asked if there was adequate space for three docks. Ms. Jenkins responded that there was adequate space for a third dock.

Mr. Sheffey opened the public hearing.

Mr. Clarke Cunningham provided details regarding the proposed request, including background information related to the ownership of the lot.

Mr. Bill Cunningham provided additional details regarding the request, explaining it was his desire to protect the deeded rights allowing for non waterfront owners to use the dock. Mr. Cunningham advised an offer to withdraw the Cunningham request had been made to Mr. Craft, based on Mr. Craft's agreeing to consider a community dock, including a fair compensation to Mr. Craft, thus allowing for Mr. Craft to build a larger dock. Mr. Craft advised the right-of-way exists for non waterfront owners only.

There being no additional citizens comments, the public hearing was closed.

A motion was made by Mr. Akers and seconded by Mr. Hale to table the matter to the November Board meeting after discussions with the county attorney in Closed Session. Mr. Conner advised it was not the Board of Supervisors responsibility to settle deed disputes.

The motion failed on the following roll call vote:

Voting yes: Mr. Hale, Mr. Akers.

Voting no: Mr. Conner, Mr. Sheffey, Mr. Pratt.

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

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

Voting no: Mr. Hale

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

- An amendment to Articles 5B, 5F deleting **Bed & Breakfast Inn and Bed & Breakfast**, as a Use Permitted by Special Use Permit in the Residential (R1), and Rural Residential (RR) Zoning districts.

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 described the proposal and 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. Conner and carried, the Board approved the following zoning text amendments, by right, as recommended by the Planning Commission (the proposed omitted text is shown in ~~striketrough~~):

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

Within the Residential District (R-1), the following uses are permitted by Special Use Permit (SUP) only:

- ~~Bed and Breakfast Inn~~
- Boarding House

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

Within the Rural Residential District (RR), the following uses are permitted by Special Use Permit only:

- Barns, silos and other structures related to agricultural uses
- Antique, Craft, or Gift Shops
- ~~Bed & Breakfast~~
- Cabinet Shop

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

Voting no: none.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

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

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

Supervisor Akers questioned the "completion" status of #19 on the KAT entitled "Route 693 repair headwall/pipe inlet". Mr. Clarke agreed to review the matter and provide an update to the Board.

Supervisor Akers questioned the backlog of speed studies listed on the KAT. Mr. Clarke confirmed the listed speed studies are still pending as noted on the KAT.

Supervisor Conner questioned the "completion" status of #53 on the KAT entitled "low water bridge at Little Creek". Mr. Clarke agreed to review the matter and provide an update to the Board.

2. Rt. 11 Entrance Sign Update

Mr. Huber shared various slides depicting the proposed signage. Mr. Clarke advised the VDOT Traffic and Engineering Department would have to review a sketch showing height, sketch, dimensions, etc. in order to consider the signage for approval. Mr. Huber advised county staff would review the proposed signage with Jon Wyatt of Sign Systems. Supervisor Akers suggested use of the Pulaski County High School art students in obtaining ideas for a sign design. Supervisor Hale suggested consideration also be given to using the front of the RU West property as a possible location for the signage. The Board requested an update be provided through either a weekly update or at the November Board meeting.

b. Request for Speed Limit Reduction, Rt. 690, Shelburne Road

Mr. Richard Phillips submitted a petition requesting a speed limit reduction on Shelburne Road from 55 mph to 45 mph, citing accidents due to speeding. Mr. Phillips also presented various pictures of the road.

Mr. Kendall Clay, representing Mr. Richard Phillips, spoke in favor of the request. Mr. Clay requested VDOT conduct a speed study on Shelburne Road to determine if a reduction in the speed limit is warranted.

Ms. Beth Lancaster expressed opposition to the speed study advising she did not believe the speed reduction was warranted. She further advised she believes Shelburne Road is well marked and that most accidents that occur are due to driver error.

Mr. Ronnie Dalton advised he was opposed to the speed reduction request. Mr. Dalton advised that while there were dangerous intersections, it was his belief that the lowering of the speed limit would not prevent wrecks.

On a motion by Mr. Akers, seconded by Mr. Hale and carried, the Board asked VDOT to conduct a formal speed study following a review of the matter and assuming that there had not been any speed studies conducted within the past five years.

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

Voting no: none.

c. Citizen Comments

Mr. Ronnie Dalton asked if a speed study had been conducted on Gate Ten Road. Mr. Clarke responded a speed study had been previously conducted.

d. Board of Supervisors Concerns

Supervisor Pratt requested Mr. Clarke visit the Delton Road area with him to look at problems in a couple of areas along the road.

Supervisor Akers requested more attention to Dallas Freeman Road.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

Supervisor Akers advised of trees hanging over roads throughout his district. Mr. Clarke agreed to review the matter.

Supervisor Akers requested removal of the sign on Little River Dam Road where rock was cut.

Supervisor Akers questioned the removal of Booker Branch Road from the six year plan. Mr. Clarke advised that roads designated as a rural rustic road must be on the six year plan.

Supervisor Conner requested improvements to Hatcher Road to the end of the hard top.

6. Treasurer's Report

The monthly report prepared by Treasurer Rose Marie Tickle was reviewed by the Board.

7. Citizens' Comments

There were no citizen comments.

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

The Board reviewed the Key Activity Timetable in detail. Supervisor Akers questioned "completion" of item E5, Polyester Mobile Home Park Sewer. Mr. Huber explained the main lines are put in place and, at this point, have been tested and accepted, but that doesn't mean everyone is connected. He further explained this item was marked "complete" as it is up to residents of mobile home parks and/or owners to sign up for connections

Supervisor Sheffey requested confirmation of item A. Economic Development 4 – EZ Boundary change. Mr. Huber confirmed an October completion date.

Supervisor Sheffey requested confirmation of the completion date of item C2. Land Use – Special Use Permit Standards. Mr. Huber advised the target date should be changed from October 06 to November 06.

Supervisor Akers requested an update on property cleanup efforts. Mr. Huber advised a report would be provided at the November Board meeting.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

Supervisor Sheffey questioned the status of the two proposed picnic shelters at Randolph Park. Mr. Huber advised the area for the proposed shelters had been staked out by Anthony Akers and noted the two proposed shelter are close to the parking lot and one shelter is close to the playground. Mr. Huber advised county staff is determining the costs of construction or assembly of the shelters.

The Board requested an update on the cost to build the shelters be provided at the November Board meeting, or through the weekly update. Supervisor Akers requested staff contact representatives of James Hardie and requested they consider providing funding for installation of the two picnic shelters.

b. Stray Cat Alternatives

Mr. Huber provided the Board with a listing of what other localities are doing to control stray cats. The Board requested the County Attorney to determine from the State Code what controls are given to localities and provide an update through the weekly update.

c. Appointments:

Action regarding appointments was deferred to Closed Session.

9. 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 September 25, 2006

The Board approved the minutes of the September 25, 2006 meeting.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 24797 through 25216, subject to audit.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

c. Appropriations and Interoffice Transfers

The Board approved the following monthly appropriations and Interoffice Transfer #4 totaling \$41,836.69:

General Fund #6	
Revenues	
018990-4410 Local donation – Sheriff’s office	\$(500.00)
041999-0000 Use of fund balance	(3,227.53)
016150-0500 Library donations	(85.00)
016150-0700 RIF program	(\$378.00)
014010-2000 Court restitutions	(494.00)
0150020-0125 Rental of pistol range	(300.00)
015020-0125 Refund/Overpayment	(14.44)
Total	\$(4,998.97)
Expenditures	
031200-6010 Sheriff’s Dept. – Police Supplies	\$1,094.00
033300-5890 Court Serv. Unit-Incentives/Youth Offenders Grant	3,227.53
073100-6012 Library-Books & Subscriptions	85.00
031200-6011 Sheriff’s Dept. – Uniforms & Other Wearing apparel	200.00
073100-5699 Library-RIF program	378.00
031200-5210 Sheriff’s Dept – Postal Services	14.44
Total	\$4,998.97
Revenues	
018030-1300 Refund Overpayment	\$14.44
Expenditures	
5210 Postal Services	\$14.44
Revenues	
18990-4410 Local donation Sheriff’s Office	\$500.00
Expenditures	
6010 Police Supplies	\$500.00
Revenues	
16150-0500 Donations (from Board & staff for S. Smiths mother’s memorial books	\$85.00
16150-0700 Donations/Snowville Elementary School for RIF	378.00
Total	\$463.00
Expenditures	
073100-6012 Books & Subscriptions	\$85.00
073100-5699 RIF Books	\$378.00

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

Total	\$463.00
Revenues	
014010-2000 Court Restitutions	\$494.00
Expenditures	
6010 Sheriff's Police Supplies	\$294.00
6011 Uniforms & other wearing	200.00
Total	\$494.00
Revenues	
100-015020-0125 City of Radford – rental of shooting range	\$300.00
Expenditures	
6010 Sheriff's Office police supplies	\$300.00
Inter-fund Transfer from County Debt Fund to General Fund #2	
Revenues:	
3-401-041050-1000 Transfer from General Fund	\$2,500.00
Total	\$2,500.00
Expenditures:	
4-100-093000-9208 Transfer to County Debt Fund	\$(2,500.00)
4-100-043200-8101 General Properties-Machine & Equip.	2,500.00
4-401-095100-9115 Economic Stimulus-Volvo	(2,500.00)
Total	\$(2,500.00)
Revenues	
3-205-41050-1000 Transfer from General Fund – Carryover from FY 2005-06	\$-39,729.19
Expenditures	
4-205-62120-5800-900 Superintendent's Misc.	\$39,729.19
Revenues	
3-205-16120-1100 Sub Teacher Fees	\$-19,964.49
3-205-18030-0320 School Nurse Services	-383.65
Total	\$-20,348.14
Expenditures	
4-205-062190-3310-950 Technology Repairs	\$62.99
4-205-062140-6001-900 HR supplies	40.00
4-205-063200-1181-900 Transportation Salaries	20,245.15
Total	\$20,348.14

d. Ratification of Contracts, Change Orders & Agreements:

1. Contract with ATS for GIS

As reported in the Board packet, the staff committee reviewing the options for reducing the \$8,827.68 cost of operating the GIS is currently available to the public on the county's web site. The committee prepared two proposals and recommended the ATS proposal which will provide a better quality system, while saving approximately \$6,000 per year.

The Board approved the recommendation of the committee reviewing the GIS system.

2. Proclamation

The Board approved the following proclamation supporting the Community Candlelight Service of Remembrance and Hope as organized by the Community Partners Coalition:

WHEREAS, drug and alcohol abuse in the United States prevents millions of people from reaching their full potential at school, on the job and in their communities; and

WHEREAS, research indicates that young people who avoid the early use of alcohol, tobacco, and marijuana are less likely to engage in other harmful behaviors such as crime, delinquency, and other illegal drug use; and

WHEREAS, founded in 1988 in honor of undercover Drug Enforcement Agent Enrique "Kiki" Camarena who was kidnapped, tortured, and murdered by members of a drug gang in Mexico on February 7, 1985, National Red Ribbon Week is designed to raise awareness of the dangers of the use and abuse of alcohol, tobacco and other drugs; and

WHEREAS, the 2006 observance of Red Ribbon Week provides residents of Pulaski County the opportunity to demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons.

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors do proclaim October 23 through 31, 2006 as PULASKI COUNTY RED RIBBON WEEK and

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

encourage all citizens of Pulaski County to work together to teach our young people that drug and alcohol abuse is dangerous and harmful to both their health and their future.

e. Personnel Changes

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

f. Resolution - Rural Development Grant – Dublin Fire Department

The Board adopted the following resolution allowing for acceptance of a \$50,000 grant funding for the Dublin Fire Department:

The governing body of Pulaski County, consisting of five members, in a duly called meeting held on Monday, October 23, 2006 at which a quorum was present RESOLVED as follows:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, acting by and through the Rural Housing Service, an agency of the United States Department of Agriculture, the Pulaski County Board of Supervisors in the development of a fire truck to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the County Administrator of Pulaski County be authorized to execute on behalf of Pulaski County the above-referenced agreements and to execute such other documents, including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the above-referenced documents, is hereby entered into the permanent minutes of the meetings of the Pulaski County Board of Supervisors.

g. Financing of New Elementary School

As reported in the Board packet, staff has submitted an application for financing the new school through the VML/VACo Large Locality Bond Pool. A side by side comparison of the VPSA and VML/VACo financing options was presented to the Board in the packet.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

The Board ratified approval of the application for financing for the new school through the VACO/VML Locality Bond Pool.

h. Twin Communities Fire Department Truck Disposition

As reported in the Board packet, Twin Communities Fire Department is requesting they be able to keep the revenue from the sale of their old truck in order to finance the purchase of equipment for a new truck. Previously, the Fire Department had agreed to applying these funds to the purchase of the new truck but are requesting reconsideration of the matter by the Board due to the funding of new trucks by the Hiwassee Fire Department in the amount of \$350,000.

The Board approved allowing the Twin Communities Fire Department to keep the revenue from the sale of an old truck in order to finance the purchase of equipment for a new truck

10. Citizen Comments

There were no citizen comments.

11. Other Matters from Supervisors

Supervisor Sheffey inquired about the procedure for distributing NACO discount prescription cards. Mr. Utt advised 8,500 cards had been received and would be distributed to households after a press release by the National Association of Counties to pharmacies and others. The Board directed county staff to discuss the program with the Southwest Times in effort to make the public aware of the program.

Supervisor Akers advised the recent Moving Wall event was a success and commended all of the individuals involved.

Supervisor Sheffey advised a Veteran's Day event will be held on November 10 at 9:00 a.m. at Edwards Hall of New River Community College with Colonel Dallas Cox as the main speaker.

The Board approved meeting jointly with the School Board on Monday, November 20 at 6:30 p.m. and suggested meeting at the Pulaski Elementary School.

Supervisor Akers advised the Claytor Lake drawdown of five-feet below normal will occur between on November 20 and December 9.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

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. 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:

- William Grisham Elementary School
- Dublin Property

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

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

Voting no: none.

Return to Regular Session

It was moved by Mr. Akers, 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. Hale 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:

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

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:

▪ Appointments

1. Board of Zoning Appeals (Alternate)

The Board approved recommending Nick Glenn to the Circuit Court for appointment as an alternate to the Board of Zoning Appeals.

2. Wireless Authority

The Board appointed Richard Stoots to the Wireless Authority.

3. Pulaski County Sewerage Authority

The Board appointed Gordon Jones to the Sewerage Authority for a four year term.

4. VACO Annual Meeting Voting Credentials

The Board approved preparing the form and sending to VACO with Dean Pratt and Ranny Akers listed as having voting rights.

BOARD OF SUPERVISORS MEETING MINUTES OF OCTOBER 23, 2006

5. Town of Pulaski Economic Development Board

The Board appointed supervisors Eddie Hale and Dean Pratt to the Economic Development Board and requested the town be notified of the supervisors' desires for a meeting after 6:00 p.m.

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, November 27, 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