

BOARD OF SUPERVISORS MEETING MINUTES OF MAY 19, 2008

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, May 19, 2008 beginning with a Closed Session at 6:00 p.m. at the County Administration Building, Board Room, 143 Third Street, NW, in the Town of Pulaski, Virginia, the following members were present: Frank R. Conner, Vice-Chairman; Ranny L. Akers; Charles Bopp; and Dean K. Pratt. Staff members present included: Peter M. Huber, County Administrator; Thomas J. McCarthy, Jr., County Attorney; Robert Hiss, Assistant County Administrator; and Gordon Jones, Finance Director. Chairman Joseph L. Sheffey was unable to attend the meeting. Joining the regular session at 7:00 p.m. was Gena T. Hanks, Clerk.

Vice-Chairman Conner called the meeting to order and advised a Closed Session would need to be held as follows:

1. Closed Session– 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. Akers and carried, that the Board of Supervisors enter Closed Session for discussion of the following:

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
- County Administrator Contract
- County Attorney Contract

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:

- Riverlawn School Reuse
- Former School Board Office/House
- Industrial Access Road

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.

- Project Sunshine

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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:

- None

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

Voting no: none.

Not present: Mr. Sheffey.

Return to Regular Session

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

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

Voting no: none.

Not present: Mr. Sheffey.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Akers, seconded by Mr. Pratt and carried, that the Board of Supervisors adopt the following resolution certifying conformance with the Virginia Freedom of Information Act.

WHEREAS, the Board of Supervisors of Pulaski County, Virginia, has convened a closed meeting of this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act:

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pulaski County, Virginia hereby certifies to the best of each members' knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in this motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

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Voting yes: Mr. Akers, Mr. Conner, Mr. Bopp, Mr. Pratt.
Voting no: none.
Not present: Mr. Sheffey.

2. Moment of Silence in Memory of Winston Snead and Invocation

Mr. Conner called for a moment of silence in memory of Winston Snead. Reverend Terry Woodard, Pastor of the Fairlawn Presbyterian Church, provided the invocation and advised that Mr. Snead was a member of the Fairlawn Presbyterian Church.

3. Recognitions – Featured Employee Awards

The Board recognized Gordon Jones, Finance Director for the county, and Ron Coake, County Engineer, as the featured employees to serve during the month of June. Mr. Conner read a description of the job duties and personal interests for Mr. Jones and Mr. Coake. Supervisors presented Fatz Cafe gift certificates to both employees.

4. Additions to Agenda

Mr. Huber advised a note of thanks to the Board of Supervisors had been received from the residents of the Mount Olivet community.

Mr. Huber requested moving the budget hearing to the beginning of public hearing portion of the agenda.

5. Public Hearings:

a. Budget Hearing

Mr. Huber explained the purpose of the hearing was to receive public comments on the FY 09 budget and noted the Board cannot approve, or take action, on the budget until at least seven days following the hearing.

Mr. Conner opened the public hearing.

Comments were heard from John Hocker, Bill Benson, Missy Hall and Roger Caudell, all representing educators in Pulaski County, expressing support for funding to the School Board to allow for teacher pay raises.

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Ms. Susan Mayorga, representing Brain Injury Services of SW Virginia, expressed appreciation for proposed FY 09 funding for the Brain Injury Services.

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

- b. The petition by **Larry D & Teri R Helms and John A & Tamara Helms** to rezone from Residential (R1) to Agricultural (A1), property identified as Tax Map Numbers 071-001-0000-0102 and 071-001-0000-0101, respectively, located at 3061 Mount Olivet Rd. and 3066 Mount Olivet Rd., (Rt. 710), Robinson District.

Mr. Utt presented staff comments and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- c. The petition by **Stephen B Hedge** to rezone from Residential (R1) to Agricultural (A1), property identified as Tax Map Numbers 066-001-0000-0004, 066-001-0000-0005, 066-001-0000-0009, 066-014-0000-0008, 066-014-0000-0009, 066-014-0000-0010, 066-014-0000-0011, 066-014-0000-0012, and 066-014-0000-0013, located at 6011 Lyons Rd., (Rt. 662), Draper District.

Mr. Utt presented staff comments and advised the Planning Commission recommended approval.

Mr. Akers requested clarification on which district the property was located. Staff confirmed the property is located in the Ingles District and not the Draper District as advertised.

Mr. Utt recommended either tabling the matter until a determination is made on the legal aspects of the hearing due to the error in the advertisement or re-advertising the hearing for the June 23 Board meeting.

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Mr. Conner opened the public hearing.

Mr. Steve Hedge expressed concern over the error in advertising, noting an additional delay in the requested rezoning. Mr. Huber apologized for the error and advised there would be no additional charge to Mr. Hedge for the re-advertisement of the hearing.

There being no further comments, the hearing was closed.

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved re-advertising the public hearing to reflect the location of the property in the Ingles District.

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

Voting no: none.

Not present: Mr. Sheffey.

- d. The petition by **Bullard Family Partnership** to rezone from Residential (R1) to Agricultural (A1), property identified as Tax Map Numbers 058-001-0000-0049, 067-001-0000-0042B, 067-001-0000-0035, located at Blue Sky Lane, (Rt. F066), Ingles District.

Mr. Utt presented staff comments and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- e. The petition by **Howard C & Glenda A Kimbleton** for a Special Use Permit (SUP) to allow a second dwelling, property located at 6092 Parrott Mountain Rd., (Rt. 606), Cloyd District.

Mr. Utt presented staff comments and advised the Planning Commission recommended approval.

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

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

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

Voting no: none.

Not present: Mr. Sheffey.

- f. Revisions and updates to the **Pulaski County Comprehensive Plan** to the **South Planning Area** of the county. This area would include Snowville, Allisonia, Hiwassee, Max Creek and the Ingles Magisterial District.

Mr. Utt introduced Kevin Byrd with the New River Valley Planning District Commission and asked Mr. Byrd to speak to explain the proposed revision and updates to the Comprehensive Plan.

Mr. Byrd reviewed detailed background information and the proposed land use map.

Mr. Akers expressed concern over the 100-foot lake shore conservation designation, specifically noting the potential difficulty for landowners in development.

Mr. McCarthy removed himself from discussions due to being a lake property owner. Mr. McCarthy, as a citizen owning lake-front property, noted that the conservation area along the entire shoreline of the lake was not practical or reasonable.

Mr. Huber suggesting approval of the revisions and updates, pending further review by the Planning Commission of the 100-foot lake shore conservation designation.

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

Mr. Pratt made a motion to approve the revisions and updates with the 100-foot stipulation being removed. After further discussions, Mr. Pratt withdrew his original motion.

On a motion by Mr. Pratt, seconded by Mr. Akers and carried, the Board accepted staff recommendation to approve revisions and updates pending further review by the Planning Commission of the 100-foot lake shore conservation designation.

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

Voting no: none.

Not present: Mr. Sheffey.

g. Revisions to the Inoperative Vehicle Ordinance

Mr. Utt explained the proposed change was to consider revisions to the Inoperative Vehicle Ordinance to allow for a Class 4 misdemeanor with a fine of up to \$250 to violate the ordinance.

Mr. Radcliffe advised the current ordinance has no penalty clause and recommended revisions to allow for a class 2 misdemeanor charge which would serve as a tool for the judge. Mr. Radcliffe expressed concern over the effect on property owners with farming equipment and trailers should the proposed revision be adopted.

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

Mr. Pratt indicated the ordinance revisions need additional review by county staff, particularly the affect on farmers.

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board tabled action to allow for staff review of the ordinance and propose changes addressing these concerns.

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

Voting no: none.

Not present: Mr. Sheffey.

h. Revisions to the Litter Control Ordinance

Mr. Utt advised the proposed change was to change wording in the existing ordinance, specifically to change the word "policy" to "police" powers.

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

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved the revisions to the ordinance to change the word "policy" to "police", with the entire ordinance as follows:

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BE IT ORDAINED that in order to promote the health, safety and general welfare of the inhabitants of Pulaski County, Virginia, the County Board of Supervisors does hereby adopt the following ordinance:

Article I. Title and Definitions

Section 10-1. Title

This ordinance shall be known and may be cited as the County of Pulaski Litter Control Ordinance.

Section 10-2. Definitions

Institution- Any public or private establishment which educates, instructs, treats for health purposes, or otherwise performs a service or need for the community, region, state, or nation.

Litter- All waste materials including, but not limited to, bottles, glass, crockery, cans, scrap metal, paper, oil, batteries, hazardous waste, appliances, automobile parts, plastic, rubber, garbage, offal, waste building material at construction sites, disposable packages or containers thrown or deposited as prohibited herein, but not including the disposed waste of the primary processes of mining, logging, saw-milling, or farming.

Litter Receptacle- A covered container with a capacity of not less than 10 gallons, constructed and placed for use as a depository for litter.

Person- Any natural person, corporation, partnership, association, firm, receiver, guardian trustee, executor, administrator, fiduciary, representative, or group of individuals or entities of any kind.

Private Property- Property owned by any person as defined herein, including but not limited to, yards, grounds, driveways, entrance or passageways, parking areas, storage areas, any body of water, vacant land, and recreational facilities.

Public Property- Any area that is used or held out for use by the public, whether owned or operated by public or private interests including, but not limited to, highways, streets, alleys, parks, recreation areas, sidewalks, medians, lakes, rivers, streams, ponds, or other bodies of water.

Vehicle- Every device capable of being moved upon a public highway or public waterway and in, upon, or by which any person or property may be transported or drawn upon a public highway or public waterway, and shall also include any watercraft, boat, ship, vessel, barge, or other floating craft, except devices used exclusively upon stationary rails or tracks, or used exclusively for agricultural purposes and not licensed pursuant to state law, which is not operated on any public highway for purposes other than crossing such

public highway, or along such highway between two tracts of the owner's land.

Reference in this ordinance to "highways", "roadways", "roads", and "streets" shall include each of these other terms by definition.

Article II. Littering Violation

Section 10-3. Littering

Any person shall be guilty of a Class 3 misdemeanor who dumps or otherwise disposes if trash, garbage, refuse, litter, or other unsightly matter, on public property, on private property, including a public highway, right-of-way, property adjacent to such highway or right-of-way, or on private property. When a violation of the provisions of this section has been observed by any person, and the matter illegally dumped or disposed of has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter. However, such presumption shall be rebuttable by competent evidence.

Section 10-4. Enforcement of Litter Laws: Prosecution Presumption

- a. All law enforcement officers of the County of Pulaski, Town of Pulaski, Town of Dublin, Commonwealth of Virginia, and those employees of the Departments of Forestry, Commission of Game and Inland Fisheries, Department of Conservation and Recreation, vested with police powers are hereby empowered to issue citations to, or arrest, persons violating any provision of this ordinance, and may serve and execute all warrants, and other process, issued by the court in enforcing the provisions of this ordinance.
- b. The officers of the following departments shall be empowered to issue citations only: State Code Enforcement and Local Health Department.
- c. Prosecution for a violation of any provision of this act may be initiated by any person who witnesses such offense or who discovers an article of litter bearing a person's name or address on the property of another, on any public highway, street, or road, upon a public park or recreation area, or upon any other public property except property that is designated for solid waste disposal. Such prosecution may be initiated by any private citizen, who witnesses an offense or discovers evidence.
- d. Any article of litter bearing a person's name or address, found on the private property of another, or on any public property as designated herein, shall be presumed to be the property of such person whose name or address appears thereon, and it shall be presumed that such person placed or caused to be placed such article of litter; provided, that such presumption shall be rebuttable by competent evidence.

Article III. Stationary Violations

Section 10-5. Areas Surrounding Commercial Establishments and Institutions

- a. It shall be the duty of each proprietor and each operator of any business, industry, or institution to keep the adjacent and surrounding area clear and free of litter. These areas include, but are not restricted to, public and private sidewalks, roads and alleys, grounds, parking lots, loading and unloading areas, and all vacant lots which are owned or leased by said establishment or institution.
- b. It shall be the duty of each residential property owner and tenant to keep all exterior private property free of litter. These areas shall include, but not be restricted to, sidewalks, alleys, and driveways; yards and grounds; fences, walls, and property lines; drainages; and vacant lots in residential areas.
- c. Each owner, agent, occupant, or lessee whose property faces on Pulaski County sidewalks, or strips between street and sidewalk, shall be responsible for keeping said sidewalk and strips free of litter.
- d. It shall be unlawful to sweep or push litter from private property into streets. Such litter shall be deposited in a proper receptacle which shall be covered to prevent scattering by wind and animal.
- e. It shall be the duty of the owner, agent, or contractor in charge of a construction or development site to furnish litter receptacles at the site and to collect daily and contain the same so as to prevent scattering of litter and solid waste. All litter shall be removed from such site not less than once a week. At the conclusion of a project, all building debris shall be transported to a site approved for disposal by the Virginia Department of Solid Waste Management. This section shall be read with and construed as a part of the applicable sections of the Virginia Uniform Statewide Building Code relating to the control and disposal of litter and other waste materials at all construction and demolition project sites.
- f. It shall be unlawful for any person distributing commercial handbills, leaflets, flyers, or any other advertising and informational material to distribute material in such a manner that it litters either public or private property.
- g. Violations of any portion of Article III shall be punished as a Class 3 misdemeanor.

Article IV. Solid Waste Disposal Methods

All disposal of refuse shall be by a method in accordance with requirements of state and local law and shall include the maximum practicable rodent, insect and nuisance control at the place of disposal.

Section 10-6. Indiscriminate Dumping or Discarding of Litter and Solid Waste

It shall be unlawful for any person to discard or dump along any street, road pm or off the right-of-way, alley, stream, body of water: litter, wood, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber equipment, on public or private property, except in an area designated by the State Department of Health as a permitted disposal site or licensed sanitary landfill.

Article V. Cleanup- Government Authorization

Section 10-7. Cleanup of Premises by Government Authorization

- a. It shall be unlawful for any property owner or tenant in possession to allow litter to accumulate on property in his or her or its control to such a degree as to present a health or safety hazard.
- b. If the County Building Inspector or an agent of the County Health Department shall determine the condition of a lot or tract of real estate within the county to be a health or safety hazard, to include but not limited to rodent infestation, such county official shall issue a written notice by certified mail to the owner or renter or person occupying such premises and if the litter is not removed within 20 days from the mailing of said notice, a summons shall be issued for violation of this section for each day such littered condition continues to exist.
- c. Twenty (20) days after due notice is given to any owner, agent, occupant, or lessee of any private property to remove litter from the premises, if such litter is not removed, the Board of Supervisors of Pulaski County may authorize the county staff to cleanup said private property and determine if the owner or his agent is to be billed for the cost thereof.
- d. The violation of any portion of Article V shall constitute a Class 3 misdemeanor.

Article VI. Litter Receptacles

Section 10-8. Use of Receptacles

- a. It shall be unlawful to deposit any item or items, except litter, in any receptacle placed for public use as a depository for litter.

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- b. Any person convicted of violating this section shall be punished as a Class 3 misdemeanor.

Section 10-9. Providing Adequate Litter Receptacles

- a. It shall be the duty of any person owning or operating any establishment or public place to provide receptacles adequate to contain the litter generated at said establishment. Chapter 19, Title 10, Section 10-200, Code of Virginia, provides litter receptacle regulations.
- b. Violation of this section shall be punished as a Class 3 misdemeanor. Each day the violation exists shall constitute a separate violation.

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

Voting no: none.

Not present: Mr. Sheffey.

- i. A request from the **County of Pulaski**, to vacate an unimproved 30 ft. platted right-of-way depicted as **Bellevue Avenue** a distance of approximately 580 ft., adjoining Madison Street and property owned by **Merle H. & Gertrude S. Meredith** being Tax Map No. 039-001-0000-0035, within the Cloyd District.

Mr. Utt explained the request to vacate the above referenced platted right-of-way.

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

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board approved vacating an unimproved 30 ft. platted right-of-way depicted as **Bellevue Avenue** a distance of approximately 580 ft., adjoining Madison Street and property owned by **Merle H. & Gertrude S. Meredith** being Tax Map No. 039-001-0000-0035, within the Cloyd District.

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

Voting no: none.

Not present: Mr. Sheffey.

- j. A request from the **County of Pulaski**, to abandon a 15 ft. right-of-way formerly known as **Needmore Ln.** or **Old Robinson Tract Rd. (Rt. 793)** a distance of approximately 86 ft., along property owned by **Teresa Lee Raines Bishop** being Tax Map No. 063-001-0000-0271, within the Robinson District.

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Mr. Utt explained the request to abandon the above referenced 15 ft. right-of-way.

Mr. Conner opened the public hearing.

Ms. Teresa Bishop explained the request in detail and expressed support of the abandonment.

There being no further citizen comments, the hearing was closed

On a motion by Mr. Bopp, seconded by Mr. Pratt and carried, the Board approved abandoning a 15 ft. right-of-way formerly known as **Needmore Ln. or Old Robinson Tract Rd. (Rt. 793)** a distance of approximately 86 ft., along property owned by **Teresa Lee Raines Bishop** being Tax Map No. 063-001-0000-0271, within the Robinson District.

Mr. Akers, Mr. Conner, Mr. Bopp, Mr. Pratt.

Voting no: none.

Not present: Mr. Sheffey.

6. Citizen Comments

There were no citizen comments.

7. Highway Matters:

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

a. Follow-up from Previous Board meeting

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

Mr. Clarke advised the previous request from Mr. Bopp for delineator posts, or chevrons, on Alum Spring Road would be difficult to put up since the fence is on the right-of-way. Mr. Clarke suggested the moving back of the fence. Mr. Bopp offered to contact the property owner regarding moving of the fence.

Mr. Clarke advised Cox Hollow and Thornspring Church Road would not likely be eligible for a speed reduction.

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b. No Parking Designation for The Rocks Entrance Road

Staff confirmed that it is the intention for the road to be public and requested approval to restrict parking along this road which would allow it to be built to with normal lane width without the additional width which would be required to accommodate curbside parking.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board approved reducing the width standard with the understanding that no parking will be allowed on the road.

Mr. Akers, Mr. Conner, Mr. Bopp, Mr. Pratt.

Voting no: none.

Not present: Mr. Sheffey.

c. Request for Children at Play Signage – Church Street & Harry Brown Road

As reported in the Board packet, Ms. Lisa Saunders of New River is requesting Children at Play signage at the corner of Church Street and Harry Brown Road.

Mr. Clarke agreed to review the road(s) in question and report back to the Board at a future meeting.

d. Shrubs on Dudley Ferry and Brooklyn Roads

As reported in the Board packet, Janet Minnick of Dudley Ferry Road in Fairlawn, is concerned about some shrubs that are visually obstructive at the intersection of Dudley Ferry and Brooklyn Roads. It was also reported, through the Board packet, that Mr. Sheffey advised that he's taken a look at them and thinks it's possible that the shrubs are located on the property at 6102 Dudley Ferry Road rather than on a state right-of-way.

Mr. Clarke agreed to review the road(s) in question and report back to the Board at a future meeting.

e. Citizen Comments

Mr. Thomas Aliff presented a petition from residents along Lead Mines Road requesting a speed study. Mr. Aliff noted support by Ron Nichols in the requested speed study.

Mr. David Miller of Lyons Road in Newbern requested VDOT reconsider the resurfacing of Lyons Road to include the full length of the

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road, rather than only the one mile. Mr. Clarke agreed to review the road(s) in question and report back to the Board at a future meeting.

Mr. Steve Hedge of Lyons Road expressed support for the resurfacing of the full length of the road. Mr. Clarke agreed to have VDOT to review the request with a possibility of fixing the potholes.

f. Board of Supervisors Concerns

Mr. Bopp requested the status of the ordering of signs for Rt. 738. Mr. Clarke advised signs are currently being manufactured and VDOT will work with county staff regarding plans to move and install the signage.

Mr. Pratt expressed concern over the recent sealing of the Draper Mountain crossing. Mr. Clarke noted the concerns and advised VDOT plans to place the lines on the road soon.

Mr. Akers inquired if the light at the intersection of Kroger and Route 11 will need to be upgraded as development in the area increases. Mr. Clarke advised VDOT will monitor the intersection as development occurs.

8. Treasurer's Report

Treasurer Melinda Worrell provided a financial update.

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable

Board members reviewed the Key Activity Timetable. There were no changes to the timetable.

b. The petition by **Radford University Real Estate Foundation** to rezone from Commercial (CM1) to Residential (R2), on property identified as Tax Map Numbers 039-001-0000-0026 and a portion of 039-001-0000-0023 (approximately 30.098 acres), located off Lee Highway (Rt. 723) and Hazel Hollow Rd. (Rt. 626), Cloyd District.

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board tabled action on this request to its June 23, 2008 meeting.

Mr. Conner, Mr. Bopp, Mr. Pratt.

Voting no: Mr. Akers.

Not present: Mr. Sheffey.

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c. Delinquency Prevention Status Report

Ms. Pam Chitwood and Ms. Julie Williams provided a detailed slide presentation entitled "In Her Eyes: An Average Child's View of Her World".

Mr. Hiss noted the Commission on Children and Family continues to work closely with the PCPC on early childhood intervention measures.

d. Appointments:

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

1. Building Appeals Committee

As reported in the Board packet, a response had not been received from Mr. David Dean. Mr. Huber advised staff is awaiting a response from Ms. Tara Skewes.

2. Clean Community Council

The Board appointed Joan Smith, as a voting member, and son Wesley Smith as a non-voting member.

3. Public Service Authority

The Board directed county staff to invite Mr. Maynard Sayers to consider filling the vacancy created due to the death of Winston Snead.

4. Pulaski County Sewerage Authority

The Board appointed Ron Coake to the Sewerage Authority to fill the vacancy created due to the death of Winston Snead.

5. Pepper's Ferry Regional Wastewater Treatment Authority

The Board appointed Ron Coake to the Pepper's Ferry Authority to fill the vacancy created due to the death of Winston Snead.

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

Voting no: none

Not present: Mr. Sheffey

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10. Items of Consent

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board approved the following "Items of Consent".

Voting yes: Mr. Akers, Mr. Conner, Mr. Bopp, Mr. Pratt.
 Voting no: none.
 Not present: Mr. Sheffey.

a. Approval of Minutes of April 21 & 28 and May 5, 2008

The Board approved the minutes of the April 21 and 28 and May 5, 2008 meetings.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 2002146 through 2002498, subject to audit.

c. Appropriations & Interoffice Transfers

The Board approved Interoffice Transfer #11 totaling \$ \$57,957.57, as well as the following monthly appropriations:

General Fund # 11

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
016130-0800	Local Funds- Summer Youth Camp Fees	\$ 8,000.00
016150-0700	Local Funds- Library RIF Funds	1,369.50
018030-1300	Local Funds- Miscellaneous- Refunds and Recoveries	67.23
019020-400	Local Funds- Emergency Response HazMat	125.00
024040-6300	State Funds- Pretrial Services Grant	11,214.00
019010-1100	Local Funds- Recovery From Airport Commission	22,931.00
041999-0000	Use of Fund Balance	44,737.00
	Total	\$ 88,443.73

Expenditures:

092110-5841	Revenue Refunds- NSF Checks	\$ 361.00
073100-5699	Library Admin.- Travel-RIF Funds	1,369.50
032240-4602	Newbern Vol. Fire Dept.- Central Garage-Parts	3,000.00
035100-1347	Animal Control- Part-Time Salaries	5,000.00
031200-5230	Sheriff's Office- Telecommunications	67.23
033420-5510	Pretrial Services- Travel	5,607.00
033425-5510	Community Corrections- Travel	5,607.00
035500-8101	Emergency Management- Machinery and Equipment	125.00
043200-3310	General properties- Repair and Maintenance	10,000.00

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043200-6007	General Properties- Repair and Maintenance- Supplies	5,000.00
043250-1170	General Properties-Grounds-Salaries and Wages	14,258.00
043250-2100	General Properties-Grounds-FICA	1,091.00
043250-2210	General Properties-Grounds-VRS	1,460.00
043250-2220	General Properties-Grounds-VRS Health Care Credit	84.00
043250-2400	General Properties-Grounds-VRS Group Life	123.00
043250-2300	General Properties-Grounds-Health Insurance	2,870.00
043250-2310	General Properties-Grounds-HRA	90.00
043250-4601	General Properties-Grounds-Central Garage-Labor	200.00
043250-4602	General Properties-Grounds-Central Garage-Parts	200.00
043250-4603	General Properties-Grounds-Central Garage-Fuel	500.00
043250-6007	General Properties-Grounds-Repair and Maintenance Supp.	500.00
	Total	\$ 57,512.73

School Construction Fund #10

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
015010-0200	Interest on Investments	\$ 13,547.15
041999-0000	Use of Fund Balance	
	Total	\$ 13,547.15

Expenditures:

066500-8265	Fairlawn Elementary School	\$ 13,547.15
	Total	\$ 13,547.15

Inter-fund Transfer # 10

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
3-999-041050-0100	TRANSFER FROM GENERAL FUND	\$ 2,000.00
3-100-041999-0000	General Fund-Use of Fund Balance	3,500.00
3-302-041050-1000	CIP Fund-TRANSFER FROM GENERAL FUND	1,500.00
	Total	\$ 7,000.00

Expenditures:

4-100-093000-9211	General Fund-Transfer to Treasurer's Fund	\$ 2,000.00
4-999-092110-5841	Treasurer's Fund-NSF Checks	2,000.00
4-100-093000-9206	General Fund-Transfer to CIP Fund	1,500.00
4-302-081400-3800	CIP Fund-Comprehensive Plan Update	1,500.00
	Total	\$ 7,000.00

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Inter-Department Transfers-#9
General Fund

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
	Total	\$ -
<u>Expenditures:</u>		
091400-9301	Contingency	\$ (1,346.00)
071360-2600	Friends of Claytor Lake- Unemployment Insurance	117.00
092110-5833	Revenue Refunds-Building Permit State Fee	1,229.00
	Total	\$ -

d. Ratification and/or Approval of Contract, Change Orders & Agreements, Etc.:

1. County Administrator Contract

Board members reviewed the current contract and instructed Mr. McCarthy to clarify the fringe benefit language. Staff was directed to place approval of the contract on the June 23 Board agenda.

2. County Attorney Contract

Board members reviewed the current contract. Staff was directed to place final approval of the contract on the June 23 Board agenda.

e. Personnel Changes

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

f. Calculation of Interest Accumulations Between PSA and Board

As reported in the Board packet, the current balance calculated conservatively for various loans made over the years by the Board of Supervisors to the Public Service Authority is \$320,400. Depending on how previous payments are credited, the amount could be as much as \$500,000. Currently, the PSA has sufficient reserves to comfortably pay off these notes. Paying off of this debt will eliminate an annual debt service payment of \$22,547 to the Board of Supervisors. Approval by the PSA to paying off these debts is recommended effective June 30, 2008.

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The Board approved accepting this amount as full payment of these debts by the Board of Supervisors allowing reducing its operational costs by the amount of the annual payment to the Board of Supervisors.

g. Fess Green Memorial Resolution

The Board approved the following memorial resolution honoring Mr. Fess Green:

**MEMORIAL RESOLUTION
Dr. Forrest Benedict "Fess" Green**

WHEREAS, Fess Green truly approached life with an attitude of service; and

WHEREAS, Fess Green served the US Navy in Vietnam from 1964 to 1968 (despite being clandestinely married at the time); and

WHEREAS, Fess Green dedicated his education and career to teaching others and planned to continue doing so at age 68, despite being eligible for retirement; and

WHEREAS, Fess Green pursued teaching through continuing his education through a Masters program at George Washington University and a doctoral program at Virginia Tech; and

WHEREAS, Fess Green followed his love for the mountains by teaching at Appalachian State University from 1976 to 1978; and

WHEREAS, Fess Green started his residency in Virginia's New River Valley as a community minded citizen by conducting roadside clean-ups shortly after accepting a teaching position at Virginia Tech in 1986; and

WHEREAS, Fess Green's service to making the New River Valley a better place to live included his active support for the environment through his participation in the City of Radford pathways organization and the New River Valley Bicycle Association; and

WHEREAS, Fess Green's active involvement resulted in the development of the Radford City trail system jointly enjoyed by the citizens of Radford City and Pulaski County; and

WHEREAS, Fess Green took his appreciation for Virginia's New River Valley by researching, riding, and writing about Wilderness Road culminating in the publication of the Wilderness Road Odyssey: A Cyclist's Journey Through Present and Past; and

WHEREAS, Fess Green continued his advocacy by working with elected representatives to have the road appropriately recognized and designated;

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NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the life and service of Fess Green to the county and its citizens; and

BE IT FURTHER RESOLVED, that the text of this resolution be spread upon the minutes of the Board of Supervisors this 19th day of May, 2008, in permanent testimony of its appreciation to the service of Dr. Forrest Benedict "Fess" Green.

h. Winston Snead Memorial Resolution

The Board approved the following memorial resolution honoring Winston Snead:

**MEMORIAL RESOLUTION
WINSTON SNEAD**

WHEREAS, Winston Snead was a leader in business, civic, and church groups in Pulaski County for over fifty years; and

WHEREAS, Winston Snead was a respected spokesman for the interest of the citizens and families of the eastern portion of Pulaski County, particularly the Fairlawn Community; and

WHEREAS, Winston Snead contributed countless hours of service for the betterment of the community and always fulfilled his positions in a professional business manner; and

WHEREAS, Winston Snead served as a faithful member on the Public Service Authority Board of Directors since January, 1997; and

WHEREAS, Winston Snead served on the Pulaski County Sewerage Authority since 1978 and served in a leadership capacity as chairman since 1984; and

WHEREAS, Winston Snead was an original member of the Pepper's Ferry Regional Waste Water Treatment Authority serving since 1978; and

NOW THEREFORE, BE IT RESOLVED, that the Pulaski County Board of Supervisors does commend the long-standing, faithful service of Winston Snead 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 Snead family for his loss; and

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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 Winston Sneed to the citizens of Pulaski County, this 19th day of May, 2008.

11. Citizen Comments

There were no citizen comments.

12. Other Matters from Supervisors

There were no other matters from supervisors.

13. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Bopp and carried, the Board of Supervisors adjourned its regular meeting. The Board will reconvene to the Boy Scouts ribbon cutting on Tuesday, May 20, 2008 at 5:00 p.m. The next regular meeting of the Board of Supervisors is scheduled for 6:00 p.m. on Monday, June 23, 2008 in the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

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

Voting no: none.

Not present: Mr. Sheffey.

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator