

BOARD OF SUPERVISORS MEETING MINUTES OF AUGUST 25, 2008

At a regular meeting of the Pulaski County Board of Supervisors held on Monday, August 25, 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: Joseph L. Sheffey, Chairman; 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 Shawn Utt, Community Development Director. Joining the regular session at 7:00 p.m. was Gena Hanks, Clerk.

Mr. Sheffey 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

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:

- Hazel Hollow Road Property
- Conservation Easement
- Competitiveness Center

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. Sheffey, Mr. Bopp,
Mr. Pratt.

Voting no: None.

Return to Regular Session

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

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

Voting no: none.

Certification of Conformance with Virginia Freedom of Information Act

It was moved by Mr. Pratt, 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.

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

Voting no: none.

2. Invocation

Reverend Terry Woodard of the Fairlawn Presbyterian Church provided the invocation.

3. Recognitions – Featured Employee Awards

The Board recognized Debbie Berg of the Sheriff's Department and Scott Proctor of Regional Emergency Medical Services, Inc. (REMSI) as the featured employees to serve during the month of September. Mr. Sheffey read a description of the job duties and personal interests for Ms. Berg and Mr. Proctor. Supervisors presented a Fatz Cafe gift certificate to both employees.

4. Additions to Agenda

Mr. Huber noted the following additional agenda items:

- a. Report on Status of Maple Shade purchase;
- b. Presentation of Volvo letter related to recent announcement of moving of Mack plant;
- c. Report from VACo Finance Committee; and
- d. Presentation of memo from Jim Davis related to problems with panhandling in the county.

5. Public Hearings:

a. FY 09 Budget Amendment Public Hearing

Mr. Huber explained a public hearing has been scheduled to consider amendments to the FY 09 budget as follows:

The budget amendment carries over funding previously allocated by the Board or pass through of grant funded project with the exception of the following items:

Comprehensive Plan Update	\$ 11,000
Pulaski County High School Roof	\$170,000
E-mail License Fees	\$ 31,156
GASB-45 Audit Costs	\$ 2,700
<u>Fairview Home Air Conditioning Unit</u>	<u>\$ 2,591</u>
Total Impact on Reserves	\$217,447

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

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following budget amendments as advertised:

GENERAL FUND	
Revenues:	
Revenues from Local Sources:	
Use of Reserves/Balance	5,621,225.78
Total Revenues	\$ 5,621,225.78
Expenditures	
Independent Audit - GASB 45	2,700.00
Victims Witness Grant - Other Govt. Services	12,332.00
Goodwill Industries - Operating Expenses	12,000.00
Institutional Care of Indigent - Operating Expenses	2,591.00
Transfer to Internal Service Fund	38,436.00
Transfer to Capital Improvements Fund	5,553,166.78
Total Expenditures	\$ 5,621,225.78
INTERNAL SERVICE FUND:	
Revenues:	
Revenues from Local Sources:	
Transfer from General Fund	38,436.00
Total Revenues	\$ 38,436.00
Expenditures:	
Information Technology	38,436.00
Total Expenditures	\$ 38,436.00
CAPITAL IMPROVEMENT FUND:	
Revenues:	
Revenues from Local Sources:	
Transfer from General Fund	5,553,166.78
Revenues from the Commonwealth:	
VDOT T-21 Grant Newbern Project	220,000.00
Total Revenues	\$ 5,773,166.78
Expenditures:	
Property Reassessment	148,790.54
Treasurer - Printer Replacement	15,000.00
Information Technology - Computer Software	14,209.11
Communications	183,591.66
Sheriff's Office - Vehicles and Dispatch	195,162.88
Fire Department - Vehicles, Equipment & Buiding Improvements	819,500.00
General Properties	3,576,401.60
Pulaski County High School Entrance - Impr.	1,000.00
Pulaski County High School Roof	170,000.00
Recreation - Trail Development Grants	234,016.29
Recreation - Playground Equipment	4,000.00
Randolph Park - Picnic Shelter	15,942.47
Library Building Improvements & Technology	162,871.78
County Entrance Signs - Welcome Signage	8,606.38
Economic Development Nanotechnology Grants	103,802.47
Rt. 100 Improvements - Landscaping	14,271.60

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Transfer to REMSI(Ambulance replacement)	95,000.00
Comprehensive Plan Update	11,000.00
Total Expenditures	\$ 5,773,166.78
SCHOOL FUND	
Revenues:	
Revenues from the Commonwealth	
Project Graduation	9,642.00
Gear Up Virginia summer	6,389.00
Total Revenues	\$ 16,031.00
Expenditures:	
Administration	16,031.00
Total Expenditures	\$ 16,031.00
SCHOOL CONSTRUCTION FUND	
Revenues:	
Revenues from Local Sources:	
Use of Fund Balance	10,425,722.00
Total Revenues	\$ 10,425,722.00
Expenditures:	
Riverlawn School	10,425,722.00
Total Expenditures	\$ 10,425,722.00
GRAND TOTAL ALL FUNDS	\$ 21,874,581.56

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

Voting no: none.

- b. Petition by the following individuals to rezone from Residential (R1) to Commercial (CM1) located at 5250 Alexander Rd. (Draper District).

Bandy, Lewis and Mary	056-002-006A-00B
Chrisley, James J & Judith K	056-002-006A-00A

Mr. Utt presented staff comments and advised the Planning Commission had tabled this matter at its July 2008 meeting to allow the Chrisley's and Bandy's additional time to explore other opportunities to ensure a commercial entrance from Alexander Road. Mr. Utt advised the Planning Commission recommended approval.

Mr. Sheffey opened the public hearing.

Mr. Robert Taylor spoke in opposition to the request. Mr. Taylor expressed concern over the potential change in the quality of life to the neighborhood should the rezoning be allowed.

Mr. David Stanberry spoke on behalf of his mother Doris Stanberry in opposition to the request. Mr. Stanberry expressed concern over development costs and the potential for increased traffic in the neighborhood.

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Ms. Nancy Taylor spoke in opposition to the request expressing concern over the entrance and exit off of Alexander Road. She also advised of concerns over the increased commercial development in the area.

Ms. Sue Hash spoke in opposition to the request expressing concern over potential increase in traffic, as well as a change in the quality of life to the neighborhood.

Ms. Tara Skewes, Realtor, representing Mr. & Mrs. Chrisley and Mrs. Bandy, spoke in favor of the rezoning request. She indicated the Chrisley family is at a disadvantage due to their home being located across from the Dublin Walmart.

Ms. Treva Pope spoke in favor of the request. Ms. Pope advised she is the daughter of the Mr. & Mrs. Chrisley. She expressed concern over her family not being able to sell the property, should the rezoning not be approved, due to the property being surrounding by commercial development.

Supervisor Pratt suggested amending the proffers as it relates to an entrance off of Woodlyn Street. Mr. Chrisley agreed to amending the proffers.

Mr. McCarthy recommended re-advertising the public hearings for both the Planning Commission and Board of Supervisors September meetings to allow for review of the amended proffer.

There being no further comments, the hearing was closed.

Mr. Utt recommended taking the proffers back to the Planning Commission and the Board delay taking action until the Planning Commission has an opportunity to review the proposed changes.

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board tabled action on this request to its September meeting to allow the Planning Commission to review a proposed change in the proffers as it relates to the entrance off of Woodlyn Street.

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

Voting no: none.

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- c. Petition by Donna S. & Barry D. Phillips to rezone 4010 Hogans Place from Residential (R1) to Agricultural (A1). (080-001-0000-0042; 080-001-0000-042A), (Robinson District).

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

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

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

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

Voting no: none.

- d. Petition by Brenda Blackburn for Special Use Permit (SUP) on property owned by Dublin Fairacres LTD Ptnship at 4697 Cleburne Blvd., for a flea market (outdoors). (056-002-0002-0030), (Draper District)

Mr. Utt presented staff comments and advised the Planning Commission recommended approval subject to the following conditions:

1. Development of the "flea market" outdoors shall be in accordance with the minor site plan titled, "Flea Masters Minor Site Plan", dated 7/29/08.
2. Special Use permit for the operation of an outdoor flea market three (3) days each week (Friday, 10 a. m. to 6 p.m., Saturday, 8:00 a.m. to 5:00 p.m. and Sunday, 10:00 a.m. to 5:00 p.m.).
3. The months of operation for the "flea market" outdoors will be year round (January through December).
4. The total number of vendors for the "flea market" outdoors will be no more than 48.
5. No permanent structures associated with said "flea market" outdoors shall be permitted other than under the existing "lumber shed".
6. Allow no more than four (4) storage sheds located on the northern end of the existing parking lot for sale.
7. Reasonable access to the property shall be given to staff for periodic inspection of the property to determine compliance with the Special Use Permit conditions.
8. Failure to maintain the property in compliance with all local codes will result in revocation of the Special Use Permit as well as any

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legal remedies provided by the judicial system.

9. Operator shall provide a self-contained waste disposal unit for trash and debris for the vendors on site or provide to the Pulaski County Zoning Department a written agreement with proposed vendors to dispose of their own garbage.

Mr. Sheffey opened the public hearing.

Mr. Brenda Blackburn, applicant, spoke in favor of the request. Ms. Blackburn advised she would like to be able to move all items to the main part of the parking lot rather than being limited to using the building.

There being no further comments, the hearing was closed.

Discussions were held between Board members regarding allowing the use of the parking lot, etc.

Mr. Akers made a motion to amend condition number five to allow an outdoor flea market.

Mr. Huber suggested a compromise by changing the conditions to note that the flea market may be outdoors from the fence back and thereby preserving the parking lot area so that the flea market is not directly in front of the building. Mr. Akers amended his original motion to include the suggestion of Mr. Huber. Mr. Pratt seconded the motion. The motion carried on the following roll call vote, with said motion to include the following conditions:

1. Development of the "flea market" outdoors shall be in accordance with the minor site plan titled, "Flea Masters Minor Site Plan", dated 7/29/08.
2. Special Use permit for the operation of an outdoor flea market three (3) days each week (Friday, 10 a. m. to 6 p.m., Saturday, 8:00 a.m. to 5:00 p.m. and Sunday, 10:00 a.m. to 5:00 p.m.).
3. The months of operation for the "flea market" outdoors will be year round (January through December).
4. The total number of vendors for the "flea market" outdoors will be no more than 48.
5. No flea market displays or sales activity will take place between the gated fence and Route 100 in order reduce the visual impact and preserve adequate parking.
6. Reasonable access to the property shall be given to staff for periodic inspection of the property to determine compliance with the Special Use Permit conditions.
7. Failure to maintain the property in compliance with all local codes will result in revocation of the Special Use Permit as well as any

legal remedies provided by the judicial system.

8. Operator shall provide a self-contained waste disposal unit for trash and debris for the vendors on site or provide to the Pulaski County Zoning Department a written agreement with proposed vendors to dispose of their own garbage.

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

Voting no: none.

- e. The petition by the County of Pulaski to amend the following section (s) of the Pulaski County Zoning Ordinance:

- Article 1: Definitions, Use and Design Standards; add definition for Small Wind Energy Systems (Residential) with Standards;
- Article 2, Agricultural (A1), Section 2-1; and Article 3, Conservation (C1), Section 3-1; allowing Small Wind Energy Systems (Residential) as a by-right use with standards;
- Article 5B, Residential (R1), Section 5B-3; and Article 5F, Rural Residential (RR), Section 5F-2; allowing Small Wind Energy Systems (Residential) as a Special Use Permit (SUP) with standards.

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

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

On a motion by Mr. Conner, seconded by Bopp and carried, the Board approved the proposed text amendments, as follows and as recommended by the Planning Commission:

ARTICLE 1: DEFINITIONS, USE AND DESIGN STANDARDS ¹

***Small Wind Energy System (Residential):** A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not to exceed 100 kW or the limitations imposed by the normal utility power provider and will be used primarily to reduce on-site consumption of utility power. Small wind energy systems shall meet the following requirements:*

1. **Tower Height** – Towers shall meet each zoning districts height restrictions. The applicant shall provide evidence that the proposed height of the small wind energy system does not exceed the height as recommended by the manufacturer.
2. **Setbacks** – The setback for wind energy systems shall meet requirements of each zoning district or a 1:1 setback/height ratio, whichever is greater.

¹ Title amended 04/25/2005

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3. **Noise** - Small wind energy systems shall not exceed 60 decibels in sound, as measured at the closest property line. This level may occasionally be exceeded during short-term events such as utility outages and/or severe windstorms.
4. **Compliance with Building Code** – Building permit application for small wind energy systems shall be accompanied by standards drawings of the wind turbine structure including the tower, base, and footings. An engineering analysis of the tower showing compliance with the building Code and certified by a licensed professional engineer shall also be submitted.
5. **Compliance with FAA Regulations** – Small wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations in the vicinity of airports, pursuant to Article 9 of the Pulaski County Zoning Ordinance.
6. **Compliance with National Electric Code** – Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
7. **Utility Notification** – No small wind energy system shall be installed until evidence has been given that the electric utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement. Wind energy systems connected to the utility grid must comply with the Virginia Administrative Code 20 VAC 5-315: Regulations Governing Energy Net Meeting.
8. **Lighting** – Small wind energy systems shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or appropriate authority.
9. **Signage** – No part of the structure shall have any sign, writing or picture that can be construed as advertising.
10. **Signal Emissions** – Small wind energy system generators and alternators should be constructed so as to prevent the emission of radio and television signals and shall comply with the provisions Section 47 of the Federal Code of Regulations, Part 15 and subsequent revisions governing said emissions.
11. **Local Utility Provider** – Shall comply will all local utility provider's standards.

ARTICLE 2: AGRICULTURAL DISTRICT (A-1)

2-1 Uses Permitted by Right ²

Small Wind Energy Systems (Residential)

ARTICLE 3: CONSERVATION DISTRICT (C-1)

3-1 Uses Permitted by Right ³

Small Wind Energy Systems (Residential)

² Section 2-1 Revised 03/23/1992 & 11/28/1994; Section amended 04/25/2005 to omit "Mobile Homes/Manufactured Housing stored or used as accessory building.

³ Section 3-1 revised 03/23/1992 & 11/28/1994; Section Amended 04/25/2005 to omit "Mobile Homes/Manufactured Housing stored or used as accessory building.

ARTICLE 5B: RESIDENTIAL DISTRICT (R-1)

5B-3 Uses Permitted by Special Use Permit (SUP) Only ⁴

Small Wind Energy Systems (Residential)

ARTICLE 5F: RURAL RESIDENTIAL DISTRICT (RR) ⁵

5F-2 Uses Permitted by Special Use Permit (SUP) Only ⁶

Small Wind Energy Systems (Residential)

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

Voting no: none.

f. Amendment to the Pulaski County Inoperative Vehicle Ordinance

Mr. Sheffey called on Mr. Hiss to provide details regarding the proposed amendment. Mr. Hiss advised a committee had been appointed to review the ordinance for the purpose of drafting an ordinance that is more realistic for the community.

Mr. Sheffey opened the public hearing.

Mr. Ed Hoggatt spoke in favor of the proposed amendment and commended Code Enforcement Officer Jamie Radcliffe for his work. Mr. Hoggatt indicated the proposed amendments allowed for more legal means of enforcing the ordinance.

Ms. Dorothy Albert spoke in favor of the proposed amendment.

Dr. Bruce Fariss spoke in opposition to the clause in the amendment allowing for an individual to be charged with a misdemeanor. He expressed concern that the penalty was too high and an individual with such a criminal record could be prevented from obtaining a job.

⁴ Section 5B-3 Revised 03/23/1992 & 11/28/1994, CUP's converted to SUP's 07/22/2002; Section Amended 04/25/2005 to allow accessory buildings greater than 150 ft. without a dwelling as a use allowed by right; Section Amended 04/25/2005 to allow Camping – Individual Tent or Camping, as a use allowed by right; Section Amended 04/25/2005 to omit "Mobile Homes/Manufactured Housing stored or used as accessory building.

⁵ District added 08/25/2003

⁶ Section Amended 04/25/2005 to allow accessory buildings greater than 150 ft. without a dwelling as a use allowed by right.

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Mr. Morgan Morris spoke in favor of the request and stated the objective of the proposed amendment is to provide a legal means of cleaning up the county.

Ms. Dorothy Bain spoke in favor of the request citing concerns over existing junk cars in her neighborhood.

Mr. E. W. Harless thanked the committee for their efforts and spoke in favor of the request. Mr. Harless encouraged the Board to adopt the amendment in order to allow cleanup of properties throughout the county.

Mr. Conner stated the purpose of the amendments was to provide for penalties for which properties owners would be required to clean up their property.

There being no further comments, the hearing was closed.

On a motion by Mr. Akers, seconded by Mr. Pratt and carried, the Board adopted the following ordinance in its entirety, with the amendments noted in italics and bold:

PULASKI COUNTY INOPERABLE VEHICLE ORDINANCE

BE IT ORDAINED pursuant to the authority granted to the Board of Supervisors of the County of Pulaski, Virginia, by Section 15.2-904 of the Code of Virginia, 1950, as amended, that it shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure from which they cannot be seen or otherwise fully covered or fully screened with an opaque visual barrier from view from any public right-of-way, on any property zoned for residential or commercial or agricultural purposes any motor vehicle, trailer or semi trailer, as such are defined in Section 46.2-100 or its successor statute of the Code of Virginia, 1950, as amended, which is inoperable. Vehicles which are exempted from the requirements of displaying license plates under the provisions of Sections 46.2-662 through 46.2-675, Code of Virginia of 1950, as amended, are exempt from the requirements of this ordinance.

BE IT FURTHER ORDAINED that any person, firm or corporation may keep outside of a fully enclosed building or structure, but which is either fully covered or fully screened from view with an opaque visual barrier, or located less than 200 feet from any public street, roadway or highway, no more than one inoperable motor vehicle. As used in this ordinance, an "inoperable motor vehicle" shall mean any motor vehicle which is not in operating condition; or which for a period of ninety (90) days or longer has

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been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. However, the provisions of this ordinance shall not apply to a currently licensed business which was on June 26, 1970, and is now legally, currently and regularly engaged in business as an automobile dealer, salvage dealer or scrap processor on the site where the motor vehicle, trailer or semi trailer is located.

As used in this section, notwithstanding any other provision of law, general or special, "shielded or screened from view" means not visible from outside of the property on which the subject vehicle is located by someone standing at the ground level of the subject vehicle.

BE IT FURTHER ORDAINED that: (1) the owners of property zoned for residential or commercial or agricultural purposes shall, at such time or times as the Board of Supervisors of the County of Pulaski, Virginia, may prescribe, remove therefrom any such inoperable motor vehicles, trailers or semi trailers that are not kept within a fully enclosed building or structure; (2) the Board of Supervisors of the County of Pulaski, Virginia, through its own agents or employees may remove any such inoperable motor vehicles, trailers or semi trailer, whenever the owner of the premises, after reasonable notice, has failed to do so; (3) in the event the Board of Supervisors of Pulaski County, Virginia, through its own agents or employees, removes any such motor vehicles, trailers or semi trailers, after having given such reasonable notice, Pulaski County may dispose of such motor vehicles, trailers or semi trailers after giving additional notice to the owner of the vehicle; (4) the cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by Pulaski County, as taxes and levies are collected; and (5) every cost authorized by this ordinance with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to Pulaski County. ***Failure to comply with this ordinance may result in a Class 2 Misdemeanor, punishable by six months in jail and/or a \$1,000 fine.***

This Ordinance does not amend either the Pulaski County Automobile License Tax Ordinance, as amended, or the Pulaski County Abandoned Vehicle Ordinance.

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

Voting no: Mr. Bopp.

6. Citizen Comments

a. Update on Adult Education in Pulaski & GED Day Activities

Ms. Marty Holliday, Program Planner for the New River/Mount Rogers Workforce Investment Board, provided specific information on adult education in Pulaski County. Ms. Holliday requested the Board adopt a proclamation recognizing October 15, 2008 as GED Day and the week of October 12 through 18, 2008 as Adult Education Week in Pulaski County.

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

PROCLAMATION

To All Whom These Presents Come – Greetings:

WHEREAS, the foundation of democracy is based upon an educated citizenry and education should be made available to people of all ages to gain knowledge and skills; and

WHEREAS, New River Community College Secondary Programs facilitates adult education programs in Pulaski County and provides services to an average of 400 people annually; and

WHEREAS, adult education offers classes to assist adults in improving basic reading, writing, and math skills, to pursue further education, to enter or advance in the job market, or to enhance their personal and family lives; and

WHEREAS, adult education offers classes to prepare adults to take the General Educational Development (GED) Test or to receive a Pulaski County High School Diploma; and

WHEREAS, adult education serves students of diverse populations that include adults with learning disabilities, physical and emotional disabilities, and adult learners in family literacy programs and correctional institutions; and

WHEREAS, adult education works cooperatively with local, state, and federal agencies such as the Pulaski County Department of Social Services, the New River/Mount Rogers Workforce Investment Board, and the Virginia Workforce Center in Radford, Virginia to meet the goals and needs of mutual clients; and

WHEREAS, it is timely and appropriate that attention be focused on the special efforts and dedication of the New River Community College Secondary Programs' adult educators who prepare individuals for productive employment and enriched lives.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Pulaski of the Commonwealth of Virginia, do hereby proclaim October 15, 2008, as

GED Day

and the week of October 12, 2008 through October 18, 2008 as

Adult Education Week

in the County of Pulaski and urge all its citizens to become familiar with the services and benefits offered by adult education and to support and participate in these programs.

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

b. Authorization to Seek Grant Applications

Mr. Utt spoke on behalf of a Baskerville community group working with the Peoples Community Coalition on housing issues in the Baskerville community. He advised the Community Development Block Grant program allowed for application of state funding by counties to be used to renovate homes that are income eligible. Mr. Utt advised there were several key steps that would need to be taken before applying for construction grants.

Ms. Alyssa Rollins spoke in favor of the proposed grant application process for improvements to the Baskerville community and requested the Board authorize county staff to work with the Coalition to seek grant funding.

By consensus, the Board authorized county staff to work with the Peoples Community Coalition to seek grant assistance for improvements to homes in the Baskerville community. Staff was directed to provide the Board with additional information related to public hearing requirements and steps necessary in applying for construction grants.

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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

1. Review of Highway Matters Section of KAT

Mr. Clarke advised mowing had been completed on Walnut Drive.

Mr. Clarke advised the missing stop sign at Honaker and Lee Highway had been replaced.

Mr. Akers requested VDOT review brush cutting and overgrowth of trees in the Ingles District.

Mr. Clarke advised it had addressed the issue of high grass just past the Fairview Home.

Mr. Clarke advised he did not see anything on Dallas Freeman Road other than the typical washboards.

Mr. Clarke advised Cardinal Drive would most likely not qualify for a speed reduction, if an informal speed study were conducted.

Mr. Clarke advised "Watch for Children" signs had been erected on Church Street.

Mr. Clarke advised VDOT had mowed in the Delton area.

Mr. Clarke advised signs had been placed on Harry Brown Road.

Clarke advised industrial park signs had been ordered.

Mr. Pratt advised the sign on Lee Highway was leaning. Mr. Clarke agreed to have VDOT review this matter.

2. Cherry Branch Road Speed Limit & Children at Play Request

Mr. Clarke advised this road would most likely not qualify for speed limit reduction.

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b. Removal of I-81, Exit 94 Project from Six Year Improvement Plan

Mr. Sheffey noted receipt of a letter from Pulaski Town Mayor Jeff Worrell regarding the I81, Exit 94 ramp improvements and the request to remove the Exit 94 project from the six year plan.

Mr. Clarke suggested continuing to communicate with legislators regarding funding and advised he did not have any specific information related to the funding forecast.

Mr. Clarke advised VDOT had recently swept the Pepper's Ferry Bridge.

c. Citizen Concerns

There were no citizen comments.

d. Board of Supervisors Concerns

Mr. Bopp expressed appreciation to VDOT for the spraying of the guardrails through the county.

Mr. Pratt inquired if spraying of kudzu could be done on Route 11 below Draper Mountain. Mr. Clarke agreed to review this matter.

Mr. Conner noted Hatcher Road appears to be progressing and requested a 25 mph speed limit beginning with the houses north of Moses Drive.

Mr. Akers requested removal of brush in areas that have been mowed, expressed concern that brush may be too thick for standard equipment to cut, and indicated that the Ingles District was not receiving mowing/brush cutting as frequently as some areas in Montgomery County.

Mr. Sheffey advised of a request from Charlie Burton for the placement of guardrails on Viscoe Road in the areas where trees are being cut down because of AEP power lines.

8. Treasurer's Report

Melinda Worrell, Treasurer, presented the monthly report and advised the personal property tax notices are expected to be mailed out this week.

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9. Reports from the County Administrator & Staff:

a. Update on Building Code Changes

Mr. Utt and Edith Hampton, Building Official, presented detailed information on Building Code changes for the 2006 USBC which were effective May 2008 including changes affecting testing for shrink-swell soils, termite treatment, radon prevention and revised building permit fees. A copy of said report is filed with the records of this meeting.

Mr. Sheffey requested staff contact adjacent localities to determine how they are handling shrink-swell issue and provide an update in the weekly update.

Mr. Utt noted the Building and Zoning Fee schedule had not been increased in 20 years.

By consensus, the Board approved scheduling a public hearing for the September 22 Board meeting to consider the proposed building permit fees. Board members concurred with the implementation of radon and termite control requirements.

b. Key Activity Timetable

The Key Activity Timetable was reviewed. No changes were made.

c. Hiring of Part-Time Grants Coordinator

Mr. Huber explained the need for the hiring of a part-time grants coordinator, based on the following factors:

1. The significant increase in grants work done in addressing emergency preparedness issues. These grants quietly funded a significant upgrade to the County's dispatch system.
2. The delay in the implementation of plantings along Route 100.
3. The difficulty of being able to implement various Rural Development projects including:
 - a. Hiwassee Fire Department/REMSI Expansion grant/loan.
 - b. Water and sewer grant/loan projects serving various mobile home parks.
 - c. Sewer grant/loans for Rolling Hills, Orchard Hills, Vista, and Highland Park subdivisions.
4. Pulaski County's ranking in general government administrative expenses at \$59.97 per capita which is 60.07% of the average of \$117.26 for all Counties in Virginia. According to the Comparative

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Report of Local Government Revenues and Expenditures, only 18 of the 95 counties in Virginia have lower per capita administrative costs.

On a motion by Mr. Akers, seconded by Mr. Conner and carried, the Board approved the hiring of a part-time grant administrator.

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

d. Appointments:

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

1. Building Appeals Committee

The Board appointed Mr. Jimmy Hurst to the Building Appeals Committee with said term ending August 31, 2012.

2. Library Board

The Board appointed Elinor Morgan Farmer to fill a vacancy on the Library Board with said term ending December 31, 2008.

3. Social Services Board

The Board reappointed Jeanne Whitman for a term ending August 31, 2012.

4. NRV Green Infrastructure Committee

The Board confirmed the membership to this committee to be as follows: Doug Warren, Debbie Lineweaver and Shawn Utt.

5. Central Pulaski Transportation Planning Steering Committee

The Board confirmed the membership to this committee to be Ranny Akers as the Board representative and Joe Sheffey as alternate; Andy Hall as Planning Commission representative and Doug Warren as an alternate; and Ronnie Coake as county staff and Shawn Utt as alternate.

6. New River Valley Juvenile Detention Home Board

Staff was directed to invite Carl Lindstrom to serve on the Detention Home board and place an update on this matter on the September 22 Board agenda.

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

e. State Budget Cuts

Mr. Huber explained that it was the general consensus that the state budget will have to be adjusted by a billion dollars. Mr. Huber stated that, while there is no specific information on the exact budget cuts, it is anticipated that the budget adjustments will most likely affect education and human service agencies and that those agencies affected will most likely come to the Board of Supervisors to make up for any cuts.

f. Loitering on Rights-of-Way of Certain Highways

Mr. Huber presented a memo from Sheriff Davis related to loitering on bridges and highways, specifically that the Code of Virginia addresses situations where loitering in major intersections is a significant danger to both foot and vehicle traffic and that the placement of "No Loitering" signs at the intersection of Route 114 and Route 11 in Fairlawn and Route 100 and Alexander Road in Dublin would address this problem.

On a motion by Mr. Akers, seconded by Mr. Bopp and carried, the Board authorized designating these areas as "no loitering" areas due to safety concerns.

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

g. Volvo Layoff

Mr. Huber presented a letter from Volvo announcing the moving of the Mack line to Pennsylvania, resulting in employee layoffs.

h. Maple Shade Property Status

Mr. Huber advised the Maple Shade property had been acquired by the county and the next step is to do some cleaning out of the building and possibly relocate some of the tenants within the building; utilize Camp 1 inmates to assist with the cleaning out of the building, as well as some

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General Properties staff; restructuring of the General Properties Department, which will include not filling the position previously held by George Hazel and creating a new maintenance position; and use of the mowing crew in working on the building.

10. Items of Consent

On a motion by Mr. Conner, seconded by Mr. Pratt and carried, the Board approved the following items of consent as noted:

a. Approval of Minutes of July 28, 2008 Minutes

The Board approved the minutes of the July 28, 2008 Board minutes.

b. Accounts Payable

The Board approved accounts payable as presented on checks numbered 2003679 through 2004156 subject to audit.

c. Interoffice Transfers & School Budget Transfer #1

The Board approved Interoffice Transfer #2 totaling \$46,754.53, as well as the following School Budget Transfer #1:

<u>Account Number</u>	<u>Account Title</u>	<u>Amount Increase (Decrease)</u>
<u>Revenues:</u>		
033020-2700	Title IID	\$ (377.19)
033020-2600	Title IIA	14,740.58
033020-4300	Twenty First Century	6,311.43
033020-4100	Title V (remove all)	5,673.00
033020-1900	Flow Thru	(26,705.97)
033020-0200	Title I	358.15
	Total	\$ 0.00
<u>Expenditures:</u>		
061100-6013-200-100-933	Title IID Instruction	\$ 377.19
061100-1121-200-200-978	Flow Thru Salary	(722.45)
061100-6013-200-100-960	Title V Instruction	(5,673.00)
061100-1121-200-100-949	Title IIA Salary	(14,740.58)
061100-1121-200-100-990	Title I Salary	(358.15)
061100-1121-212-100-953	Twenty First Salary	(6,311.43)
061100-1121-212-100-979	Flow Thru Salary	27,428.42
	Total	\$ 0.00

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

1. NRV Community Services Board Performance Contract

The Board approved the FY 09 Performance Contract between the New River Valley Community Services and the State Department of Mental Health, Mental Retardation and Substance Abuse Services noted that local governments have until September 30, 2008 to take formal action on approval of the contract. Further, approval of the contract is subject to review and concurrence by the County Attorney. Approval was granted as a show of support for the work being done by the Community Services Board since local government approval is not required in moving forward with the plan.

2. Theatre and Fine Arts Center Use of Courthouse Lawn

As reported in the Board packet, administrative approval had been granted for use of the courthouse lawn on Labor Day, September 1, by the Pulaski Theatre and Fine Arts Center for a joint fundraiser. Plans by the Theatre and Fine Arts Center are to jointly host a fund raising beach party on Main Street. The town has approved the use of the street.

The Board ratified administrative approval of this request for the use of the lawn, with the condition that the consumption of alcohol not take place on County property.

3. Purchase Peak's Knob tower from the Western Virginia EMS Council

As reported in the Board packet, Board members were presented with an executed bill of sale prepared by Tom McCarthy for the purchase by the Board of Supervisors of the Peak's Knob tower from the Western Virginia EMS Council at a cost of \$27,000. The Board had previously approved the concept but had not specifically approved the purchase. This purchase was expedited in order to allow the School Board to install microwave links between schools. The purchase of the tower should help eliminate continual leasing of high speed connections.

Board members ratified this action.

4. Purchase of A GMC Dump Truck Equipped With A Plow and Salt Spreader From VDOT

As reported in the Board packet, level funding of school buses combined with an increasing cost of each bus resulted in the purchase of four rather than five buses. This purchase left approximately \$12,000 remaining in the capital improvements line for school bus purchases. Nine thousand nine hundred dollars (\$9,900) of these remaining funds was administratively authorized to be used for the purchase of a surplus GMC dump truck equipped with a plow and salt spreader from VDOT. It will allow the county and school system to not only plow and clear parking areas but to also apply salt and/or chemicals to prevent refreezing on cleared areas.

Board members ratified this action.

e. Personnel Changes

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

f. Resolution - Honoring George Hazel - Retirement from County

The Board approved the following resolution of appreciation for George Hazel in recognition of his 30 years of service to Pulaski County:

**Resolution of Appreciation
George Hazel**

WHEREAS, George Hazel has been employed by Pulaski County since May 11, 1978; and

WHEREAS, George Hazel began his service with the county as custodian and progressed to the position of senior custodian; and

WHEREAS, George Hazel has shown commitment, dedication, and loyalty while working for the county over the past 30 years; and

WHEREAS, George Hazel has used common sense, unique approaches, innovation, and determination in addressing various operational problems, including his participation in the vision of returning Draper Mountain Overlook to public access; and

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WHEREAS, George Hazel has applied his understanding of citizen perspectives offering friendly, good humored courtesy in greeting the public and in scheduling his daily work;

WHEREAS, George Hazel has served his community beyond his daily work through his services with excellence as the County's Chief Chef in undertaking numerous barbeques which both fostered good community relations and raised considerable funds for special projects; and

WHEREAS, George Hazel's oversight of the county's grounds have ensured that the county's properties have been maintained with pride; and

WHEREAS, George Hazel's integrity and willingness to help his co-workers and longstanding assistance is deeply appreciated; and

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

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Board of Supervisors does hereby commend and express its sincere appreciation for the service of George Hazel 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 25th day of August, 2008, in permanent testimony of its appreciation to the service of George Hazel.

- g. Proclamation of October 15 as GED Day and Week of October 12-18 as Adult Education Week in Pulaski County

Action on this matter was previously taken.

- h. Acceptance of New REMSI Facility on Route 100

As presented in the Board packet, Board members were presented copies of recorded deeds from the Dunnigans and the Youngs transferring property to the County.

The Board ratified the purchase by REMSI and acceptance of ownership of these properties by the Board of Supervisors.

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i. Mobility Manager Revised Local Match

As presented in the Board packet, Board members reviewed a memo from Kevin Byrd, Regional Planner, explaining the change in the local match for each locality as it relates to the Rideshare program and requesting a commitment by the Board to the local match of \$2,300 from Pulaski County.

The Board approved a commitment by Pulaski County to the local match of \$2,300 related to the Rideshare Program.

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

11. Citizen Comments

There were no citizen comments.

12. Other Matters from Supervisors

Mr. Akers relayed positive comments from several members of the public on Natasha Grubb for her professionalism and positive attitude in dealing with the public.

Mr. Sheffey expressed appreciation to Harry Hull for his assistance at a recent accident involving Mr. Sheffey.

Mr. Sheffey presented a notice from Pulaski Town Mayor Jeff Worrell inviting Board members to attend the Wednesday, August 27, 2008 Mariners playoff game at 7:00 p.m. Mr. Sheffey formally notified the press in attendance at the Board meeting of the potential to have three or more members present at the event. Southwest Times Reporter Melinda Williams acknowledged this notice.

Mr. Huber presented each Board member with the county's business card carrier from 20 years ago.

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13. Adjournment

On a motion by Mr. Pratt, seconded by Mr. Conner and carried, the Board of Supervisors adjourned its regular meeting. The next regular meeting of the Board of Supervisors is scheduled for 6:00 p.m. on Monday, September 22, 2008 in the County Administration Building, 143 Third Street, N. W. in the Town of Pulaski.

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

Joseph L. Sheffey, Chairman

Peter M. Huber, County Administrator