

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Mon., March 24, 2003
7:00 p.m.**

APPROXIMATE TIME & ITEM	PRESENTED BY
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(Chairman Sheffey acknowledged the death of Mack Baker)

(Chairman Sheffey called for a moment of silence in remembrance of the family of Mack Baker, as well as a moment to pray for the men and women in service in the war)

1. Invocation

2. Additions to Agenda

(Adopted memorial resolution for Mack Baker, with a correction to the years of service to 30 – Prepare for final execution by Chairman Sheffey and send to family)

Ms. Hanks

(Staff reported the presentation from the theme park developer has been rescheduled to the April 28 Board meeting, at the request of the developer – Place on April 28 agenda)

Ms. Hanks

(Staff added “Elected Official” under the Closed Meeting section of the agenda under Personnel Matters)

3. Public Hearings:

- a. A rezoning request from Residential (R1) to Agricultural (A1) by the following individuals, referenced by tax map number and acreage for properties located on the north side of Thornspring Rd. (Rt. 643), approximately 0.2 miles west of the intersection of Lee Hwy, (Rt. 11), Massie District: Jean D. & Donald E. Anderson, tax map no. 055-001-0000-0014, 15, 5.5360 acres; Jones Development LLC, tax map no. 055-019-0000-0010, 32.661 acres; and Michael Eugene & Ruth Underwood Smith, tax map no. 055-019-0000-0003, 4, 5.893 acres
(Approved – Notify applicant)

Ms. Taylor

- b. A request by James Cox for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow “Contractors Equipment Storage Yard, Small Scale” as either a use by-right, or by Special Use Permit (SUP) in the Agricultural District (A1);
and
(Approved amendment as a Special Use Permit – Notify applicant)
- Ms. Taylor

A request by **James Cox** for consideration of a Special Use Permit (SUP) to allow “Contractor’s Equipment Storage Yard, Small Scale” on property owned by **Isabel B. Akers** identified as tax map no. 045-001-0000-0047, zoned Agricultural (A1), (4.890 acres), located on the west side of Thornspring Rd. (Rt. 643), approximately 0.5 miles north of the intersection of Thornspring Church Rd. (Rt. 639), Robinson District
(Approved Special Use Permit – Notify applicant)

Ms. Taylor

- c. An initiative by the County of Pulaski for consideration of an amendment to allow public safety communications towers as a use allowed by right in all zoning districts
(Approved Special Use Permit for towers 199 feet and below – Amend ordinance as appropriate)
- Ms. Taylor

- d. A Resolution Authorizing the Issuance and Sale of An \$865,900 Water and Sewer Revenue Bond of Pulaski County, Virginia, As An Additional Bond Pursuant to An Initial Resolution Adopted on August 27, 1990, by the Board of Supervisors, as Previously Amended and Authorizing the Execution of a Support Agreement In Connection Therewith
(Approved – Send copy of signed documents to Webster Day)
- Ms. Hanks

4. Highway Matters:

- a. Follow-up from Previous Board meeting:
- Rustic Road Program Update & Designation of Rt. 711 as a Rural Rustic Road
(Adopted resolution – Send to VDOT)
- Ms. Hanks

- b. Rural Addition Status Report
(Staff provided update from VDOT – Staff requested to correct cost for Rich Hill Lane based on portion approved)
- Ms. Taylor

(Staff requested to arrange meeting with property owners regarding responsibility for use of sinkhole for road drainage)

Ms. Taylor

(Supervisor Cook inquired as to whether Sayers Road would qualify for the Rustic Road Program – VDOT to review and advise Board – Place update on April 28 Board meeting)

Ms. Hanks

- c. Request for Improvements – Dallas Freeman Road
(VDOT to review potential for moving road back into six year plan and provide update to Board)

- d. Board of Supervisors Concerns

(Supervisor Conner inquired re: status of Little Creek Road Bridge – VDOT to review – Provide update at April 28 Board meeting – Place on April 28 Board agenda)

Ms. Hanks

(Supervisor Conner advised of significant damage on Kent Farm Road, Rt. 628 – VDOT to review and provide update at April 28 Board meeting – Place on April 28 agenda)

Ms. Hanks

(Supervisor Hale requested VDOT provide Board with list of roads scheduled for paving this summer (2003))

(Supervisor Cook advised of deteriorating railing on Peak Creek on Rt. 11 bridge)

(Supervisor Cook inquired re: status of landfill road – VDOT advised a 60-day contract had been awarded)

(Supervisor Fariss complimented the Visitor Center signage on Interstate 81)

(Supervisor Fariss inquired as to whether local governments and/or citizens would be allowed input regarding the I81 interchange – VDOT advised it expects to solicit input within next 60 days and expects to look for comments by localities, specifically Board comments – VDOT to provide Board with initial VDOT study and Fluor and Star proposals)

(Supervisor Sheffey inquired regarding the status of the Rt. 114 bridge repairs – VDOT advised no change at this time; However, the preallocation hearing scheduled for March 25 in Salem would be an appropriate time for Pulaski County to address concerns)

(Supervisor Sheffey advised of debris around the Falling Branch Road bridge due to flooding – VDOT to review and provide update at April 28 Board meeting – Place update on April 28 agenda)

Ms. Hanks

e. Citizen Concerns

(Joyce Thorn explained in detail concerns regarding the Dunkard Road drainage problems, specifically where water stands after snow and rain and further expressed concern regarding health hazards posed by the stagnate water and the potential for spreading of the West Nile Virus – VDOT advised matter had previously been on the six year plan, but was removed from plan – VDOT to review existing issue and advise Board of findings – Place on April 28 Board agenda)

Ms. Hanks

(Ranny Akers expressed concern regarding Dunkard Road drainage and specifically the deterioration of Barton Drive)

(Candace Phillips, Benny Moses, Harold Duncan and Kimberly Morrill requested VDOT improve Dallas Freeman Road – VDOT advised road was on six year plan and later removed – Chairman Sheffey advised road may qualify for new Rustic Road Program)

(Mr. Brugh explained the budgeting process for VDOT)

5. Treasurer's Report
(Presented)

6. Citizens' Comments

a. New River Highlands Resource Conservation & Development Area

(Presented – Encouraged localities to look at stormwater management programs and update and/or improve program – Presented a stormwater management handbook)

b. Jefferson National Forest Presentation
(No presentation)

- c. Theme Park Presentation
(Postponed by Joe Baker to April 28 Board meeting)

(Staff to provide Board with information received to date regarding proposed theme park)

Mr. Tickner

- d. Other Citizen Comments

7. Reports from the County Administrator & Staff:

- a. Key Activity Timetable (KAT)

(Supervisor Fariss inquired as to the status of the Rt. 100 streetlights and trees – Staff advised VDOT is reviewing what is allowed, the design had been passed to AEP and the county engineer is preparing a design for specific footings – Further, staff advised the work will need to be contracted out)

(Supervisor Fariss inquired as to the process for the direct debt payment - Staff advised the process included filling out the appropriate form and submitting to PSA office)

(Supervisor Fariss inquired to status of plans for the Health Dept. office location – Staff advised continuing to look at various building options, with plans to look at more than one facility for including in plans)

(Supervisor Sheffey requested adding to the KAT “Dublin Rescue Squad Building”)

Ms. Hanks

(Supervisor Sheffey requested clarification on the services provided at the customer service center in Fairlawn – Supervisor Fariss suggested talking with representatives of the Saint Albans facility and look at possible use of some of that property for a customer service center)

Mr. Huber

(Supervisor Cook inquired re: the status of a new Fairlawn Post Office – Staff advised the matter is currently a federal decision and no location had been selected – Board requested staff change the date for this activity from “July” to “Ongoing”)

- b. Animal Shelter Construction

(Presented updated plans – Mr. Reynolds suggested Board bid the paving, along with curbs and gutters – Advised a timeframe was expected of six to seven months for construction and that specialty items might cause a delay in this timeframe)

- c. Appointments
1. NR/Mount Rogers Workforce Investment Board (WIB) Nomination
(Approved nominating Bill Harris to serve – Prepare nomination form and send to WIB) Ms. Hanks/
Ms. Safewright
 2. Voting Machine Selection Committee
(No action)
 3. Coal & Gas Road Improvement Advisory Committee
(Staff to contact Dave Hoover, Hugh Huff and Tom McCarthy and determine interest in serving on committee) Mr. Huber
8. Items of Consent:
- a. Approval of Minutes of February 24, 2003
(Correct wording in minutes under “An initiative by the **County of Pulaski** to amend the Pulaski County Zoning Ordinance to redefine “**Public Garage**”, and allow a Public Garage as a use by-right in the Industrial (I1) Zoning District”) Ms. Hanks
 - b. Accounts Payable
(Approved) Ms. Spence
 - c. Appropriations and Interoffice Transfers
(Approved)
 - d. Ratification:
 - Enhanced 911 Address System Completion
(Ratified contract award to MSAG Data Consultants for \$43,242.23 for confirmation of remaining unconfirmed address locations and mapping of emergency response zones) Mr. Spangler
 - e. Virginia Base Mapping Program Digital Orthophotography Data Release Licensing Agreement
(Adopted licensing agreement – Confirm availability of photographs for county citizens) Mr. Spangler
 - f. Contract Between New Enterprises & Pulaski County
(Approved contract – Send to appropriate agency) Ms. Safewright

- g. Resolution of Appreciation – Ron Shelburne
(Approved – Invite Mr. Shelburne to attend April 28 Board meeting to accept resolution – If invitation accepted, place presentation on April 28 Board agenda – Otherwise, staff to deliver resolution to Mr. Shelburne at next BZA meeting)
 - Mr. Tickner
 - Ms. Hanks
 - h. National County Government Week Proclamation
(Adopted proclamation – Send to SWT)
 - Ms. Hanks
 - i. Refinancing of Bob White Building Debt
(Approved continuing existing moral obligation agreements committing to the repayment of the debt on the Bob White building and refinancing by FNB)
 - Mr. Huber
 - j. Fireworks Permit – NRV Fairgrounds (July 4th Activities)
(Approved – Mail contract to fireworks firm)
 - Ms. Hanks
 - k. Contract with Breakall for Administration Building Elevator
(Approved contract with Breakall for \$166,400 (excluding soils and water issues), pending final review by Glenn Reynolds – Arrange for appropriate execution of contract)
 - Mr. Leonard
 - l. Memorial Resolution – J. Mack Baker
(Adopted previously)
 - m. Application for Federal Assistance – Va. Dept. of Emergency Management
(Submit grant application for eligible items previously purchased by the county and/or upgrading dispatch and communications equipment – Designated Stan Crigger as the “Designated Agent” for program)
 - Ms. Hanks
9. Citizen Comments
(none)
10. Other Matters from Supervisors
(Supervisor Conner requested Board honor Mack Baker with a memorial plaque at Randolph Park)

(Supervisor Fariss requested a separate section be designated in Randolph Park by the Board of Supervisors, specifically for memorial plaques authorized by Board of Supervisors – Mr. Huber suggested designating a part of the trail as a “memorial walk” – Staff to provide Board with suggested plan)

Mr. Akers/
Mr. Huber

(Supervisor Sheffey commended county staff for the ribbons placed on front of the County Administration Building)

11. Closed Meeting – 2.2-3711.A.1.3.5.7
(Appointments as noted above)
12. Adjournment

March 17, 2003

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Public Hearings

- a. A rezoning request from Residential (R1) to Agricultural (A1) by the following individuals, referenced by tax map number and acreage for properties located on the north side of Thornspring Rd. (Rt. 643), approximately 0.2 miles west of the intersection of Lee Hwy, (Rt. 11), Massie District: Jean D. & Donald E. Anderson, tax map no. 055-001-0000-0014, 15, 5.5360 acres; Jones Development LLC, tax map no. 055-019-0000-0010, 32.661 acres; and Michael Eugene & Ruth Underwood Smith, tax map no. 055-019-0000-0003, 4, 5.893 acres. - A public hearing has been scheduled on this request. The Planning Commission recommends approval, as described on the ***enclosed*** information.

- b. A request by James Cox for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow "Contractors Equipment Storage Yard, Small Scale" as either a use by-right, or by Special Use Permit (SUP) in the Agricultural District (A1); and A public hearing has been scheduled on this request. The Planning Commission recommends approval by special use permit as described on the ***enclosed*** information.

A request by **James Cox** for consideration of a Special Use Permit (SUP) to allow "Contractor's Equipment Storage Yard, Small Scale" on property owned by **Isabel B. Akers** identified as tax map no. 045-001-0000-0047, zoned Agricultural (A1), (4.890 acres), located on the west side of Thornspring Rd. (Rt. 643), approximately 0.5 miles north of the intersection of Thornspring Church Rd. (Rt. 639), Robinson District. - A public hearing has been scheduled on this request. The Planning Commission recommends approval, as described on the ***enclosed*** information.

- c. An initiative by the County of Pulaski for consideration of an amendment to allow public safety communications towers as a use allowed by right in all zoning districts. - A public hearing has been scheduled on this request. The Planning Commission recommends denial of the use "by right"; however, recommends approval by "special user permit", as described on the ***enclosed*** information.

- d. A Resolution Authorizing the Issuance and Sale of An \$865,900 Water and Sewer Revenue Bond of Pulaski County, Virginia, As An Additional Bond Pursuant to An Initial Resolution Adopted on August 27, 1990, by the Board of Supervisors, as Previously Amended and Authorizing the Execution of a Support Agreement In Connection Therewith – A public hearing has been scheduled on this matter. Adoption of the ***enclosed*** resolution and supporting documents is requested.

March 17, 2003

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

a. Follow-up from Previous Board meeting:

- Rustic Road Program Update- The resident engineer may have information to share.

b. Rural Addition Status Report - ***Enclosed*** is an update from Ms. Taylor.

Larry Day of VDOT has provided the following update regarding rural additions funding:

- As of January 15, 2003, the fund balance for Pulaski County was approximately \$153,000.00.
- We have spent about \$27,000.00 boring the drain under the Railroad for Cooks Lane.
- We have committed \$70,000.00 for Black Hollow Heights and \$56,000.00 for the two sections of Cooks Lane.
- At this point, we are about "even" with the board so we won't be able to add any more rural addition projects until the July allocation is posted to the fund account.

/gh

March 17, 2003

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Key Activity Timetable (KAT) – Review of the ***enclosed*** Key Activity Timetable is requested.
- b. Animal Shelter Construction - The Animal Shelter Advisory Committee will meet on Tuesday, March 18, to review plans for the proposed shelter. I hope to include a copy of those plans in the March 21 update. Mr. Reynolds has scaled back the size of the shelter somewhat to improve operating efficiencies and to increase the likelihood construction can be accomplished within the budget. He will be present at the Board meeting to answer any questions you may have.
- c. Appointments
 1. New River/Mount Rogers Workforce Investment Board – Bill Harris, President of Motion Control, has agreed to serve as the county's nominee.
 2. Voting Machine Selection Committee – Kathy Webb and I recommend appointment of an ad hoc committee consisting of interested supervisors, electoral board representatives, a minority representative, the county attorney and the registrar for the purpose of evaluating current options and providing the Board with a recommended plan for addressing state and or federally mandated changes. The Board may also want to consider appointing the local chair of each political party.
 3. Coal and Gas Road Improvement Advisory Committee – The Board is requested to appoint a Coal and Gas Road Improvement Advisory Committee to be composed of four (4) members as follows: a member of the Board of Supervisors appointed by the Board of Supervisors; the Resident Engineer from the State Department of Highways and Transportation; and two (2) citizens of the county connected with the coal and gas industries and to be appointed for a term of four (4) years by the Chief Judge of the Circuit Court.

March 17, 2003

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Approval of Minutes of February 24, 2003 – See ***enclosed***.
- b. Accounts Payable – Approval of the ***enclosed*** accounts payable listing is requested.
- c. Appropriations & Interoffice Transfers – Approval of the following listing of appropriations and interoffice transfers is requested, and as described in the ***enclosed*** documentation:
 1. Interoffice Transfer # 8 - \$54,820.92
 2. School Fund Appropriation # 8 - \$10,246.65; # 9 - \$16,360.00; and # 10 - \$142,551.65.
 3. VPA Fund Appropriation Resolution # 1 - \$19,655
- d. Ratification - Enhanced 911 Address System Completion – Ratification is requested of a contract award to MSAG Data Consultants for \$43,242.23 for confirmation of remaining unconfirmed address locations and mapping of emergency response zones. The State Wireless Board will be paying two-thirds of this cost with the remainder to be paid from 911 revenue. Other bids were: Anderson & Associates - \$60,000 and Timmons GIS - \$95,075.

Upon completion of this project, the county will meet state requirements for Enhanced 911 Addressing. The Sheriff's Dispatchers will receive enhanced information through the Verizon Database on each 911 call including which Fire, EMS and Law Enforcement to dispatch, a Color Wall Map detailing the different Emergency Response Zones and digital files of the maps for future reproduction.
- e. Virginia Base Mapping Program Digital Orthophotography Data Release Licensing Agreement – Adoption of the ***enclosed*** licensing agreement is required in order for the county to receive and use new aerial photographs of the county.

- f. Contract between New Enterprises and Pulaski County - Approval of the ***enclosed*** contract is recommended. This contract outlines the work that New Enterprises Fund will complete to fulfill obligations for the CDBG Community Improvement Planning Grant (Project Title: Regional Community Development Venture Capital Fund). A contract between Pulaski County and Virginia Department of Housing and Community Development for this grant was signed on February 14, 2003.
- g. Resolution of Appreciation – Ron Shelburne- Staff is drafting a resolution for consideration for adoption by the Board. The resolution will be included in the March 21 weekly update. Further, the Board is requested to consider making a formal presentation to Mr. Shelburne at its April 28 Board meeting.
- h. National County Government Week Proclamation- The National Association of Counties has designated the week of April 6-12 as National County Government Week. It is recommended the Board authorize staff preparing an appropriate proclamation recognizing the week of April 6-12 as National County Government Week.
- i. Refinancing of Bob White Building Debt – It is recommended that the Board continue the existing moral obligation agreements committing to the repayment of the debt on the Bob White building. The previous financing by Bank of America (8% interest on a remaining balance of \$3,421,718) and the Virginia Revolving loan (7.5% interest on a remaining balance of approximately \$485,000) are proposed to be combined into a single \$3,887,718 loan from First Nation Bank amortized over 15 years at a fixed rate of 5.12 percent for the first seven years. WAMCO, who bought the Virginia Revolving Loan, is discounting the principal balance by \$25,000 due to the early payoff. The Board is also asked to continue subordination of \$500,000 loaned by the County to the Industrial Development Authority of Pulaski County for the purpose of constructing the building.
- j. Fireworks Permit – NRV Fairgrounds (July 4th Activities) – The Board is requested to approve the issuance of a fireworks permit to the New River Valley Fairgrounds in conjunction with the activities planned for the July 4, 2003 activities.
- k. Contract with Breakell for Administration Building Elevator – Approval of a contract with Breakell for \$166,400 (excluding soils and water issues) is recommended pending final review by Glenn Reynolds.

/gh

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March 17, 2003

TO: Board of Supervisors
FROM: Peter Huber, County Administrator
SUBJECT: 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. ***Enclosed*** is a draft resolution to enter the closed meeting on recommended matters, as follows:

Property Disposition or Acquisition:

- Industrial Park Property Purchase - I plan to include a draft purchase agreement in the March 21 weekly update for consideration by the Board.

Personnel:

- Appointments - New River/Mount Rogers Workforce Investment Board (WIB) Nomination – Bill Harris, President of Motion Control, has agreed to serve as the county's nominee to the Workforce Investment Board.
- Code Official – Edith Hampton has passed all but the international portion of the State Code Official required exams. I plan to promote her to Code Official based on her record in dealing with a variety of construction issues, the progress she has made in passing the required exams, her commitment to be fully certified in the next six months, and her willingness to participate in additional training in various construction techniques. We also plan to hire a building inspector to fill the vacancy resulting from the promotion of Ms. Hampton.

Prospective Industry

- Shell Building Purchase Option – Volvo is requesting a 6-month option on the purchase of the Shell Building. I recommend the IDA grant a renewable 30-day option in order to reduce the impact on marketing efforts and to promote a quicker decision by Volvo.

Legal Matters:

- Claytor Lake Regulations - Supervisor Cook, Dave Tickner, Dari Jenkins and I met with AEP representatives regarding the status of the proposed Claytor Lake regulations. AEP is drafting similar regulations for Smith Mountain Lake and will be providing a chart comparing regulations as proposed for Smith Mountain Lake with those proposed for Claytor Lake. They are also making revisions responding to concerns brought up in various public meetings. Also proposed are newly suggested changes to the County Subdivision Ordinance regarding community docks and to the Erosion and Sediment Control Ordinance regarding control of shoreline erosion. AEP plans to present the matter at the May meeting of the Planning Commission for consideration by the Board later that month. This approach gives the Board a total of three meetings to discuss and revise the proposed regulations, a copy of which was included in the March 7 weekly update. Please let the staff know if you would like another copy.

CLOSED MEETING RESOLUTION

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.

The following motion is suggested for a closed meeting at the March 24, 2003 Board of Supervisors meeting:

It was moved by _____, seconded by _____ 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:

- Industrial Park Property Purchase

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
- Code Official

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.

- Shell Building Purchase Options

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:

- Claytor Lake Regulations

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____