

FOLLOW-UP

FOLLOW-UP ACTION	KEY STAFF
1. <u>Invocation</u>	
2. <u>Additions to Agenda</u>	
3. <u>Public Hearings:</u>	
a. <u>A request by Jerry G. & Betty A. Covey for rezoning from Agricultural (A1) to Conditional Industrial (I1), or Transitional Industrial (I-0) or Commercial (CM-1) and Special Use Permit (SUP) to allow the sale of heating fuel on property identified by tax map no.107-002-0000-0014 (10.47 acres), located at 3838 Sayers Rd, Draper District.</u> (Denied, as recommended by Planning Commission – Notify applicant & request immediate removal of tanks)	Ms. Hopkins
b. <u>A request by Snowville Volunteer Fire Department for a Special Use Permit (SUP) to allow on-site fuel storage on property identified by tax map parcel 085-001-0000-051A, (0.343 acres), zoned Agriculture (A1), located at 7153 Lead Mine Rd, Ingles District.</u> (Approved, as recommended by Planning Commission – Notify applicant)	Ms. Hopkins
c. <u>A request by Roy Douglas & Kathy R. Bunn for a Special Use Permit (SUP) to allow a manufactured home as a second dwelling on property identified as tax map no. 037-001-0000-0002, (135.67 acres), zoned Agricultural (A-1), located at 6500 Ruebush Rd., Cloyd District.</u> (Approved, as recommended by Planning Commission – Notify applicant)	Ms. Hopkins
4. <u>Highway Matters:</u> <i>(No action on the following items, unless noted otherwise, due to absence of a VDOT representative - Place all items on February Board agenda)</i>	Ms. Hanks
a. <u>Follow-up from Previous Board meeting</u> <u>Rural Addition Status Report – Church Hill Lane and Allisonia Road</u>	

- b. Rt. 99 Four-Laning
(Staff to prepare letter supporting reinstatement of funding for timely construction of Rt. 99) Ms. Hanks
- c. Request for guardrail on a portion of the right side of Route 693 between Reed Creek Enterprises and Hoover Color
- d. Board of Supervisors Concerns

(Provide report at February Board meeting on annual funding availability for rural additions) Mr. Brugh

(Check rural addition status of Black Hollow Lane Road & Schoolhouse Lane – Provide update by Monday, February 12 for February 26 Board agenda – Place update on February agenda) Mr. Crigger
Ms. Hanks
- e. Citizen Concerns
(None)
- 5. Treasurer's Report
(Presented – Approved Treasurer's recommendation to publicize two-year delinquent taxes) Ms. Tickle
- 6. FY 00 Audit Presentation
(Approved acceptance of audit report) Ms. Burchett
- 7. Citizens' Comments
(None)
- 8. Reports from the County Administrator & Staff:
 - a. Key Activity Timetable
(Presented)
 - b. Rt. 114 County Entrance Sign Update
(Reviewed – Provide update at February Board meeting - Place update on February Board agenda) Mr. Spangler
Ms. Hanks
 - c. Report from Business License Tax Committee
(Obtain a listing of firms paying Merchant's Capital Tax in the county as a whole and in the Town of Pulaski – Begin advertising immediately a public hearing for adoption of Business Professional License Tax at the April 23 Board meeting) Mr. Sayers

Ms. Hanks

- d. A request for Special Use Permit (SUP) by Kenneth N. Kimbleton Sr., Ruby A. Kimbleton, Kenneth N. Kimbleton Jr., and Sharon B. Kimbleton to allow an exception to the length of a dock per Art. 8-5 of the zoning ordinance on property identified as tax map no. 066-013-0000-0008 (0.38 total acres), zoned Residential (R1), located at 4815 Mecca West Drive, Ingles District.
(Variance granted, subject to approval of court order dealing with the contractor without a permit and modification of dock to minimize violation)
- Mr. McCarthy
- e. Appointments:
1. Social Services Board of Directors
(Appointed Jack White for a term ending 2/28/05 – Notify Mr. White)

Ms. Hanks

 2. Industrial Development Authority
(Reappointed Mr. Burcham, Mr. Lark, Mr. Mayberry for terms ending 1/31/05 - Notify appointees)

Ms. Hanks

 3. New River Resource Authority
(Reappointed Mr. Cook for a term ending 12/31/04 - – Notify NRRRA)

Ms. Hanks

 4. NRV Alliance Executive Committee
(Appointed Supervisor Cook as Mr. Huber's designee – Notify Alliance)

Ms. Hanks
9. Items of Consent:
- a. Minutes of December 18, 2000
(Approved)

Ms. Hanks

 - b. Accounts Payable
(Approved)

Ms. Spence

 - c. Appropriations and Transfers:
 1. Interoffice Transfer #7 - \$45,741.28
 2. General Fund Appropriations #11 - \$48,640.98; #12 - \$16,468.00; and #13 - \$38,881.00
 3. Capital Improvement Fund Appropriations #7 - \$155,020
 4. School Fund Appropriation #11 - \$50,393.06
 5. Additional Appropriation For FY 01- July 1, 2000 – January 22, 2001
(Approved)

Ms. Burchett
 - d. Ratification:
 1. Change Order
 2. Agreements, Grants, & Other:
 - a. Office on Youth Contract with Pepsi Bottling

- (Ratified) Mr. Akers
- b. NRCC Business Industry/Organization Memorandum of Agreement
(Ratified)
- c. Comprehensive Community Corrections Act Grant Program
(Ratified)
- d. Memorandum of Agreement Between Commonwealth of Va VEDP, Volvo Trucks, County of Pulaski, NRCC & IDA
(Ratified)
- e. Randolph Park Additional Engineering Services – Draper Aden Associates
(Ratified) Mr. Long
- e. Personnel Changes
(Reviewed) Ms. Hanks
- f. National Committee for the New River Membership
(Approved membership in the committee at a cost of \$25 – Place on accounts payable listing and send membership application to committee) Ms. Spence/
Ms. Hanks
- g. Condition of Unsafe Structure Owned by Ralph A. Sheffey, Jr., identified on Pulaski County Real Estate Records as Tax Map Parcel 028-001-0000-0026, zoned Residential (R1), 0.3570 acre, located on the South Side of Falling Branch Road, (Rt. 798), approximately 75 ft. east of the New River Road (Rt. 624), intersection
(Approved extending deadline to April 1 – Place update on April Board agenda) Ms. Jenkins/
Ms. Hanks
- h. Recording of Virginia’s First Regional Industrial Facility Authority Certificate in Minutes
(Approved recording as part of minutes) Ms. Burchett/
Ms. Hanks
- i. Local Partnership Performance Agreement
(Approved – Transmit agreement to appropriate agency) Mr. Crigger
- j.

- k. HVAC Service Contract – Courthouses
(Approved – Transmit to Virginia Trane as appropriate) Mr. Leonard
- l. Adoption of Emergency Operations Plan Resolution with Amendments
(Approved – Transmit resolution to appropriate agency) Mr. Crigger
- m. Resolution Designating February 2001 at PETFIX Month 2001
(Approved – Transmit to PETFIX Coalition) Ms. Hanks
- n. Adoption of Legislative Issues
(Approved as presented – Send to Trumbo, Marye, & Keister) Ms. Hanks
- o. Randolph Park - Transfer of Building Permits Back to Randolph Park
(Approved adding to the current budget fees collected as a result of the Randolph Park construction) Mr. Long/
Ms. Burchett
- p. Memorial Resolution – Al Carden
(Approved resolution – Send to Carden family) Ms. Hanks
10. Citizen Comments
(None)
11. Other Matters from Supervisors
(Supervisor Cook presented a statement regarding comments made recently by Governor Gilmore, specifically concerning the car tax)
- (Adopted resolution to be transmitted to the Governor's Office detailing the following items:
1. questioning the Governor of the attack on this board, reminding him of Virginia State Code Section 58.1-3500 through 58.1-3521, and demand an apology.
 2. outlining to the governor the six items of major concern, and request financial assistance.
 3. request that the Governor reinstate the \$5 million funds to building the center for excellence that he has agreed to fund in writing.
 4. not use funds being received from the tobacco settlement to shore up the general state fund and bail out his no car tax bill –
- Send resolution to Governor Gilmore) Ms. Hanks
12. Closed Meeting – 2.1-344.A.1.3.5.7
- (Schedule closed joint meeting with School Board regarding selection of school sites) Mr. Huber

13. Adjournment

January 11, 2001

TO: Board of Supervisors
FROM: Peter M. Huber, County Administrator
SUBJECT: Public Hearings

- a. A request by Jerry G. & Betty A. Covey for rezoning from Agricultural (A1) to Conditional Industrial (I1), or Transitional Industrial (I-0) or Commercial (CM-1) and Special Use Permit (SUP) to allow the sale of heating fuel on property identified by tax map no.107-002-0000-0014 (10.47 acres), located at 3838 Sayers Rd, Draper District.

See enclosed documentation.

STAFF COMMENTS:

The zoning department received information on September 26, 2000 that the applicant had installed two 4,000 gallon above ground fuel tanks on the property identified above. The matter was investigated on October 12, 2000 by the zoning department and Department of Environmental Quality (DEQ) and verified that the tanks had been installed without a building/zoning permit or the proper dike system to contain spills. The zoning violation was discussed with the owner and the use of the property is described as follows:

As allowed by the Zoning Ordinance, the applicant resides on the property and operates a furnace repair business from the dwelling as a home occupation.

The two 4,000 gallon tanks are used for storage of kerosene and diesel for retail sale to home heating fuel customers, including families qualifying for services through the Pulaski County Department of Social Services. The fuel is delivered to the Covey property via a large tanker truck. Mr. Covey then pumps the fuel to his delivery truck for distribution to individual homes.

The following options were discussed with the owner:

1. Discontinue the sale of fuel and remove the tanks from the property.
2. Request rezoning to allow the sale of fuel and a SUP to allow the above ground storage tanks. A site plan review is required for this activity.
3. Relocate the business to another property zoned appropriately to allow the fuel sales and provide a site plan for review.

Staff strongly encouraged the owner to relocate the tanks to another site appropriately zoned to allow the sale and storage of the fuel. A Notice of Violation was issued by the Zoning Department on October 29, 2000.

Concerns have been expressed by the neighborhood regarding the following:

1. The safety of fuel delivery using the tanker truck on Sayers Road (Rt. 726), especially passing school buses using the road;
2. The ability of the newly paved road to withstand the weight and traffic of the large tankers and delivery trucks on a regular basis;
3. The possibility of a fuel spill causing contamination to the water supply in the area.

If an approval of this request should be considered, staff would suggest rezoning only 0.25 acre to Conditional Transitional Industrial District (TID) with a Special Use Permit (SUP) with the following conditions:

1. The SUP be approved only for the two existing 4,000 gallon above ground fuel storage tanks,
2. The tanks be properly installed to meet the requirements of the Uniform Statewide Building Code and Department of Environmental Quality
3. Submittal of a site plan for approval by the Commission within 30 days of the rezoning approval by the Board of Supervisors, and
4. A time limit of 90 days or less be placed on the completion of site plan improvements and building code requirements in order to limit the potential contamination.

Planning Commission Recommendation:

Denial of the rezoning and Special Use Permit (SUP) request is unanimously recommended based on the following:

The Comprehensive Plan Future Land Use Plan, October 2000, projects the area for residential use.

No other industrial zoning exists in this area and approval of the request would create spot zoning.

Concerns of the potential contamination of the ground water due to accidental spills, which may seep into the karst topography prevalent in the community. No public water supply is currently available to this community.

Traffic and safety concerns presented by the existing condition of Sayers Road (Rt. 726).

VDOT Recommendation: If the property were zoned business, a commercial entrance would be required. The road was not built for the kind of traffic that would ensue. It is wi

The applicant has requested a Special Use Permit (SUP) to allow a singlewide manufactured home as a second dwelling for occupancy by his son and daughter-in-law. The enclosed site plan indicates the manufactured home will be located to the rear of the primary dwelling, between the primary dwelling and the farm shop now under construction. Mr. Bunn indicates he has obtained a septic permit to serve the shop and the proposed manufactured home. It appears that he has met the criteria for future subdivision of the property, if necessary. However, the applicant indicates that the singlewide home will be removed when his son has no further need for it.

The applicant has also indicated a possibility that his son may be able to secure financing for a doublewide manufactured home, and if so he will place the home on an individual lot and will not need the Special Use Permit (SUP). The SUP will become void if not utilized within one year.

See enclosed documentation.

Planning Commission Recommendation:

Approval of the request was unanimously recommended with the stipulation that the Special Use Permit be utilized within one year.

VDOT Recommendation:

An entrance permit has been issued for a single-family residence.

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January 11, 2001

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

a. Follow-up from Previous Board meeting:

The resident engineer may have information to share on the following matters from previous Board meetings, unless noted otherwise:

Rural Addition Status Report – Church Hill Lane and Allisonia Road - Supervisors had requested Mr. Crigger confirm the site distance acceptable to VDOT. Mr. Crigger contacted Larry Day of VDOT and he advises the site distance must be 300'.

b. Rt. 99 Four-Laning – Enclosed is an excerpt of the Virginia Transportation plan concerning four laning of Route 99 between I-81 and Bob White Boulevard. As reported in this report, the portion from I-81 to the Pulaski corporate limit is only funded for engineering and right-of-way. The portion from the corporate limit to Bob White Boulevard is stretched over a number of years and will require an additional \$2.3 million to complete. A letter of support for timely completion of the project is recommended.

c. Request for guardrail on a portion of the right side of Route 693 between Reed Creek Enterprises and Hoover Color – Hoover Color Corporation is requesting consideration to the installation of guardrail on the portion of this road on the hill just prior to Hoover Color as a protection for delivery vehicles, employees and area residents during inclement weather.

PMH/gh

cc: J. D. Brugh, VDOT Resident Engineer

January 11, 2001

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Key Activity Timetable - *Enclosed* for the Board's review is an updated timetable. Recent changes or additions have been italicized.
- b. Rt. 114 County Entrance Sign Update – With regard to the Southbound I-81 sign, Mr. Spangler reports he has not been able to determine if there is adequate road access into the property at the south end of the New River Bridge on I-81. The property is owned by American Electric Power and tentative approval to erect a county entrance sign on this property has been given by AEP. He reports road access and area terrain will be the biggest obstacle to installing a sign at this location, plus VDOT approval. With regard to the Route 114 sign, Mr. Spangler has talked with Ms. L. D. Mason on the subject of erecting a county entrance sign on the Mason family property at the south end of the Pepper's Ferry Bridge. Ms. Mason said she would discuss the subject with other members of the Mason family and have decision by the end of January. I plan to present pictures of the 114 site at the Board meeting and will place an update regarding Ms. Mason's response on the February Board agenda.
- c. Report from Business License Tax Committee – *Enclosed* is the committee report recommending adopting a uniform rate generally across classifications by both towns and the county as a means of simplifying administration and public confusion regarding the proposed tax. Since this change represents a shift in current taxing policies, I suggest a well-publicized public hearing be held on the matter prior to consideration of the proposed change.

- d. A request for Special Use Permit (SUP) by Kenneth N. Kimbleton Sr., Ruby A. Kimbleton, Kenneth N. Kimbleton Jr., and Sharon B. Kimbleton to allow an exception to the length of a dock per Art. 8-5 of the zoning ordinance on property identified as tax map no. 066-013-0000-0008 (0.38 total acres), zoned Residential (R1), located at 4815 Mecca West Drive, Ingles District – Mr. Kimbleton has proposed reducing the overhang into the lake from the existing poles by sliding the deck structure towards the shore. His measures would reduce the protrusion beyond permitted distances from 7½ feet to 3½ feet. See enclosed sketch. Mr. McCarthy plans to discuss this matter individually with Board members.
- e. Appointments:
1. Social Services Board of Directors – A vacancy exists due to the resignation of Joe Morgan. Jim Wallis has suggested Jack White.
 2. Industrial Development Authority – The terms of Layne Burcham, James Lark and O'Dell Mayberry expire January 31, 2001. All are eligible for reappointment.
 3. New River Resource Authority – The term of Supervisor Cook expired on December 31, 2000. Reappointment of Mr. Cook is requested.
 4. NRV Alliance Executive Committee – Currently, the Alliance has listed me as the Pulaski County representative. My participation is somewhat repetitive since I am already on the Prospect Team. Charles Cook has expressed an interest in serving on the Executive Committee.

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January 11, 2001

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Minutes of December 18, 2000 minutes – See enclosed.
- b. Accounts Payable – See enclosed.
- c. Appropriations and Transfers – Approval of the transfers as follows and shown on the enclosed documentation, is requested:

- c. Comprehensive Community Corrections Act Grant Program – Ratification of administration and acceptance of the enclosed "Statement of Grant Award/Acceptance" is requested.
- e. Personnel Changes - Enclosed is a listing of recent personnel changes as provided by Management Services Director Nancy Burchett.
- f. National Committee for the New River Membership – Enclosed is correspondence from the National Committee for the New River, which explains the achievements of the committee. Membership in the committee at an annual cost of \$25 per year is recommended.
- g. Condition of Unsafe Structure Owned by Ralph A. Sheffey, Jr., identified on Pulaski County Real Estate Records as Tax Map Parcel 028-001-0000-0026, zoned Residential (R1), 0.3570 acre, located on the South Side of Falling Branch Road, (Rt. 798), approximately 75 ft. east of the New River Road (Rt. 624), intersection – On January 11, 2001, Mr. Sheffey obtained a building permit to repair/replace fire damage. It was noted on the building permit that the structure needs to be sealed and enclosed per the June 26, 2000 Board of Supervisors minutes. Mr. Sheffey has indicated he has secured the loan and will proceed with the repairs to the structure as weather permits. Extension of the deadline to April 1 is recommended.
- h. Recording of Virginia's First Regional Industrial Facility Authority Certificate in Minutes - Approval is requested to record the enclosed certificate from the Secretary of the Commonwealth, which certifies the adoption of an appropriate resolution creating the Virginia's Virginia Regional Industrial Facilities Authority. The resolution was adopted in July 1998.
- i. Local Partnership Performance Agreement - Enclosed is the agreement requiring updating of the Emergency Operations and Hazardous Materials Plans ever five years, annual meeting of the Local Emergency Planning Committee and designation of personnel responsible (already required bylaw). Program revenue to the county is \$18,500. Thus, adoption of the agreement is recommended.
- j. Establishment of 2001 Board Meeting Dates – Approval of the fourth Monday of each month as the regular Board of Supervisors meeting date is recommended, except for the following alternate meeting dates in 2001, is requested:
 - 1. from December 24 to December 17, due to the Christmas holidays;
 - 2. from September 24 to September 17 due to a conflict with the ICMA meeting; however, Ms. Burchett and Ms. Hanks have volunteered to staff the meeting on September 24 should the Board desire; and
 - 3. meeting the following Monday whenever the chairman, or vice-chairman in his absence, determines hazardous weather conditions or other conditions exist, which would prohibit the Board from holding its regular monthly meeting.
- k. HVAC Service Contract – Courthouses – Approval of the enclosed service agreement

with Virginia Trane for providing maintenance on the HVAC at the two courthouses is requested.

- l. Adoption of Emergency Operations Plan Resolution with Amendments – Adoption of the enclosed resolution is requested. A similar resolution was previously adopted at the November 27, 2000 meeting, and has been updated with changes reflected in italics.
- m. Resolution Designating February 2001 at PETFIX Month 2001 – We have received a request from the PETFIX Coalition asking that the Board adopt a resolution designating February as PETFIX month. Adoption of the enclosed resolution encourages the pet sterilization and requires no funding by the county. Sheriff Davis supports adoption of the resolution.
- n. Adoption of Legislative Issues – Enclosed are the legislative issues recommended for adoption by the Board.
- o. Randolph Park - Transfer of Building Permits Back to Randolph Park – It is recommended that building permits fees collected, as a result of the construction of Randolph Park, be added to the current budget for construction of the park.

PMH/gh

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January 11, 2001

TO: Board of Supervisors
FROM: Peter Huber, County Administrator
SUBJECT: Closed Meeting – 2.1-344.A.1.3.5.7

A closed meeting is requested pursuant to Section 2.1-344.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:

School Site – Mr. Sheffey, Mr. Phillips, Dr. Cox and I meet this week to discuss this as well as the enclosed letter regarding budget issues. With regard to acquisition of a school site, four possible locations were identified along Route 11 between Pulaski Community Hospital and Thorn Spring Golf Club. Dr. Cox and I plan to jointly procure a preliminary engineering report to quantify development costs and evaluate safe entrance onto Route 11. With the approval of the Board of Supervisors, we also plan to negotiate options with the respective property owners. Our goal will be to provide the Board of Supervisors and School Board with numbers on which to base the selection of a specific site. I anticipate the cost of the options as well as the preliminary engineering reports can be

Personnel:

Appointments

1. Social Services Board of Directors - A vacancy exists due to the resignation of Joe Morgan. Jim Wallis has suggested Jack White.
2. Industrial Development Authority - Authority – The terms of Layne Burcham, James Lark and O'Dell Mayberry expire January 31, 2001. All are eligible for reappointment.
3. New River Resource Authority- The term of Supervisor Cook expired on December 31, 2000. Reappointment of Mr. Cook is requested.
4. NRV Alliance Executive Committee – Currently, the Alliance has listed me as the Pulaski County representative. My participation is somewhat repetitive since I am already on the Prospect Team. Charles Cook has expressed an interest in serving on the Executive Committee.

Hiring of Randolph Park Manager – With the planned opening of Randolph Park scheduled for May, it is recommended that the process of hiring a park manager begin. I anticipate the manager would become a part of the proposed County-wide recreation staff.

Update on Recruitment of Assistant County Administrator – Applications are due January 15. I hope to have an update at the Board meeting.

Prospective Industry:

Renfro Building Tenant – I have tentatively committed to expending a maximum of \$500,000 to upfit 50,000 square feet of the Renfro building for a computer service company employing 700 persons at an average wage of \$10 per hour (see enclosed spreadsheet). Though the company is requesting rent free use of the upfitted building, I reported that a rent of \$4.00 per square foot per year would be required to defray current debt service on the building. Following this offer, the company restated their interest in rent free space and the Virginia Economic Development Partnership reports our offer would not be competitive without elimination of rents.

Legal Matters:

Peppers Ferry Regional Waste Water Treatment Plant Capacity Allocations – Enclosed is a report prepared by Charles Maus regarding a proposal to pool current capacity allocations and bill capacity costs based on actual usage. I plan to report on proposed alternatives are for the County to continue paying existing and anticipated new debt service on existing capacity.

CLOSED MEETING RESOLUTION

A closed meeting is requested pursuant to Section 2.1-344.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 January 22, 2001 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 2.1-344(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

School Site

Personnel – Pursuant to Virginia Code Section 2.1-344(A)1 discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding:

Appointments:

- Ø Social Services Board of Directors
- Ø Industrial Development Authority
- Ø New River Resource Authority
- Ø NRV Alliance Executive Committee

Hiring of Randolph Park Manager

Recruitment of Assistant County Administrator

Prospective Industry – Pursuant to Virginia Code Section 2.1-344(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.

Renfro Building

Legal Matters – Pursuant to Virginia Code Section 2.1-344(A)7 consultation with legal counsels and briefing by staff for discussion of specific legal matters and matters subject to probable litigation regarding:

Peppers Ferry Regional Waste Water Treatment Plant Capacity Allocations

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____