

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Mon., May 20, 2002
7:00 p.m.**

FOLLOW-UP

ITEM	KEY STAFF
1. <u>Invocation</u>	
2. <u>Introduction of Radford City Manager Tony Cox</u> (Introduced Mr. Cox)	
3. <u>Additions to Agenda</u>	
4. <u>Public Hearings:</u> a. <u>Proposed increase in the Motor Vehicle and Trailer License Tax rate (decal charges) for motor vehicles and/or trailers operated on the streets, highways or roads within the County, for automobiles and trucks from \$20.00 per vehicle per year to \$25.00 per vehicle per year; for motorcycles from \$8.00 per motorcycle per year to \$10.00 per motorcycle per year; and to impose a tax on trailers of \$10.00 per trailer per year. The Board of Supervisors will also hear public comments from citizens of Pulaski County on proposed changes in the Motor Vehicle and Trailer License Tax ordinance in addition to changes in the decal tax rate which will change the name of the ordinance from an Ordinance Establishing Motor Vehicle License and Trailer Tax for the County of Pulaski, to an Ordinance Establishing the Motor Vehicle and Trailer License Tax for the County of Pulaski, confirm the due dates of the tax, and will prohibit the transfer of a license sticker from vehicle to vehicle or trailer to trailer, will limit the issue of duplicate license decals, will make violation of said ordinance a misdemeanor and establish a penalty not to exceed that of a Class 4 misdemeanor and will provide terms for discharge of a violation of this ordinance.</u> (Approved ordinance as presented, except for portion that addresses taxation on trailers, which will be considered in thirty days pending information regarding number of trailer decals sold and enforcement practices - Place on June 24 agenda)	Mr. Huber Ms. Hanks

- b. Proposed change in the Consumer Utility Tax Ordinance to include in that ordinance a ten percent (10%) tax on the first Thirty Dollars (\$30.00) of charge for local mobile telecommunications services.
(Approved taxation – Notify mobile phone service providers - Staff to determine accuracy of billing practices – Provide update to Board at June 24 meeting – Place on June 24 agenda)
- Ms. Tickle
Ms. Burchett/
Mr. Huber/
Mr. Hanks
- c. A rezoning request by Irene King Robinson (Life Estate) from Residential (R) to Agricultural (A1) on property identified by tax map no. 028-001-0000-0015, (1.000 acres), located at 6646 Hickman Cemetery Rd., (Rt. 624), Cloyd District.
(Approved rezoning, as recommended by Planning Commission – Notify applicant)
- Mr. Taylor
- d. A rezoning request by Thomas M. Perdue & Carolyn P. Johnson from Residential (R1) to Conditional Residential (R3) on a 29.09 acre portion of property identified by tax map no. 055-001-0000-0023, (174.775 total acres), located on the north & south sides of Country Club Dr. east of Lee Hwy (Rt. 11) and just north of Thornspring Golf Course, Massie District.
(Approved rezoning request and Concept Plan 2, as recommended by Planning Commission - Notify applicant)
- Ms. Taylor
- e. A request by Helen C. Hall (Life Estate) for an Amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow a dance hall as either a use by-right, by Conditional Use Permit (CUP) or Special Use Permit (SUP) in the Agricultural District (A1); and
(Approved amendment to allow a dance hall by Special Use Permit in the Agricultural District (A1), as recommended by Planning Commission – Notify applicant)
- Ms. Taylor

A request by **Helen C. Hall (Life Estate)** for consideration of a Conditional Use Permit (CUP) or Special Use Permit (SUP) to allow a dance hall on property identified as tax map no. 061-002-0000-0002, zoned Agricultural (A1), (11.943 acres), located at 5027 Ponderosa Rd. (Rt. 634), Robinson District.

(Approved Special Use Permit for the dance hall, as recommended by Planning Commission, with the following conditions: no alcohol is to be served or allowed; operations are limited to one weekend night per week; the dance hall shall cease operations by no later than 11:00 p.m.; and all food and beverages will comply with Health Department requirements – Notify applicant)

Ms. Taylor

- f. A request by **Wayne G. & Ella L. Brookman** for a Special Use Permit (SUP) to allow an accessory building above 150 sq. ft. without a principal dwelling per Section 5B-3 on property identified as tax map no. 048-005-0000-0122, zoned Residential (R1), on the south side of Rigney Dr. (Rt. 1046), 440 ft east of Springer Ave. (Rt. 1065), Cloyd District.

(Approved Special Use Permit, as recommended by Planning Commission – Notify applicant)

Ms. Taylor

- g. A request by **Walter Daniel Lambert** for amendment to a Special Use Permit (SUP) to allow operation of a flea market six (6) days a week on property known as Wings of Eagles Church, identified by tax map no. 038-006-0000-0008, zoned Commercial (CM1), (1.430 acres), located at 6975 Lee Highway (Rt. 11), 350 ft. west of Camelot Farms Road, Cloyd District.

(Tabled by Planning Commission – Place on June 24 Board agenda)

Ms. Hanks

(Staff was requested to confirm what constitutes a church, yard sale, vehicle sales lot and flea market – Provide update via weekly update)

**Mr. Tickner
Ms. Hanks**

- h. An initiative by the County of Pulaski for consideration of amendments to various sections of the Pulaski Co. Zoning Ordinance including combining special use and conditional use permits, revised definitions, site plan bond requirements, references to the Virginia Code, accessory structure requirements, administrative variances, sign regulations, and other miscellaneous changes.

(Tabled for changes and clarifications as follows:

- ◆ Strike Article 18-6.9 regarding the requirement to record all site plans;
- ◆ Change bond requirement to require bonds only when a certificate of occupancy is requested and improvements are not completed;
- ◆ Get information from other counties regarding site plan requirements, specifically Carroll, Wythe, Bland and Smyth counties;
- ◆ Compile a list of incomplete or non-compliance site Plans to date;
- ◆ Check with county attorney on whether or not the Building inspector can withhold a certificate of occupancy Based on outstanding zoning issues

Provide update at June 24 meeting -
Place consideration of amendments on June 24
agenda)

Mr. Tickner

Ms. Hanks

8:00 p.m.

5. Highway Matters:

a. Follow-up from Previous Board meeting:

1. Request for Speed Study on Rt. 788, Jennings Rd., Rt. 787, Peak Creek Road, and Rt. 644/763, Hurston Road
(VDOT advised work is ongoing)
2. Stilwell Road Improvements Update
(VDOT advised unable to contact Mr. Stilwell, but will continue to contact him – Supervisor Cook offered to assist in these efforts)
3. Request for Guardrails Along Owens Road
(VDOT advised request had been placed on the guardrail waiting list, as well as plans to determine adequate shoulder availability and exact location)

(VDOT to provide update from last two years of guardrail installation, as well as a listing of guardrail locations currently on the list)

b. Request for Speed Limit on Rt. 11 at intersection of Falling Branch Road

(Staff confirmed the reference should be New River Road, and not Falling Branch Road – VDOT will conduct informal speed study – Place update on June 24 agenda)

Ms. Hanks

c. Rural Addition Status Report

(Supervisors noted road priorities as follows:

- ◆ Fariss – Lindsey Road, Smythers Mt. Road & Rich Hill Road
- ◆ Cook – Akers Drive (Draper side of Peaks Knob) & Shelia Drive
- ◆ Sheffey – Walker Road and extension of Collier St.)

d. Board of Supervisors Concerns

(Supervisor Fariss requested clarification regarding Cripple Creek Road status as a connector road vs. road Going up mountain)

Ms. Taylor

(Supervisor Cook inquired re: status of Cooks Lane – VDOT will check and report back to Board)

(Supervisor Conner expressed concern that the improvements to Little Creek Bridge are only temporary – VDOT advised it will monitor the repairs)

(Supervisor Fariss inquired regarding the status of the railroad crossing in Dublin)

(VDOT advised of work to extend acceleration lane at Exit 98 with work to begin the week of May 20, or possibly May 27)

(Supervisor Conner inquired regarding work being done on Interstate 81 – VDOT advised it is working on safety enhancement projects including rumble strips and guardrails)

(VDOT advised work for Cox Hollow Road should be completed within two weeks, weather permitting)

e. Citizen Concerns

(None)

6. Treasurer's Report
(Reported)

7. Citizens' Comments

(E. W. Harless thanked the Board for their work and expressed concern regarding comments posed by supervisors regarding payment of utility taxes by Fairlawn residents)

(Ms. Colleen Oakley expressed concern regarding lack of control of black vultures and requested Board assistance – Staff was directed to draft letter of signature by Chairman Sheffey to federal legislators requesting assistance in controlling black vultures)

Mr. Huber

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

(Staff clarified proposed \$75 per hour rate for garbage crews only apply to special events and that community cleanups would continue to be free)

(Supervisor Fariss requested the following improvements to the Central Youth Gym bathrooms: signage of women's and men's bathrooms, installation of wooden marker to prevent tripping on ledge, better lighting and painting)

Mr. Akers

(Supervisors Fariss and Cook urged progress be made in the initiative with the Town of Pulaski on joint recreation issues)

Mr. Huber

(Staff advised of the benchmarking study conducted recently by Virginia Tech students which suggested adding Board Goals to the Key Activity Timetable)

b. Deed of Release – Vest & Wright, Inc.

(Approved release of conditions of deed)

Mr. McCarthy

c. Appointments:

1. Building Appeals Committee
(Reappointed Tom Douthat and Paul Shelor –
One vacancy exists – Place on June 24 agenda) **Ms. Hanks**
2. New River Community Services Board
(Reappointed Joan Knode and Harold Chrisley
for a four-year term – Notify Community
Services Board) **Ms. Hanks**
3. New River Highlands Resource Conservation
Council
(Reappointed Walter Paulson for a term ending
June 30, 2003.)
4. PEP Committees
(Reappointed Mike Williams, Debbie Brown and Joe
Weddle – Invite Dave Spangler and Lynn White
to serve and place on June 24 agenda for
appointment) **Ms. Safewright**
Ms. Hanks
5. Social Services
(Reappointed Mr. Sheffey and appointed Mike
Travis to fill the vacancy created by the
resignation of Terri Sternberg) **Ms. Hanks**
6. Town of Pulaski Flood Control Committee
(Appointed Fred Blevins and Dan Bell – Notify
town manager and Planning District) **Ms. Safewright**

9. Items of Consent:

- a. Approval of Minutes of April 15, 22, 29 & 30, 2002
(Approved) **Ms. Hanks**
- b. Accounts Payable
(Approved) **Ms. Spence**
- c. Appropriations and Transfers:
 1. Interoffice Transfer #11 - \$54,874.45
 2. General Fund #18 - \$1,102.00; #19 - \$200.00
 3. School Fund Appropriation #3 - \$61,756.88
 4. Capital Improvement Appropriation #8 –
\$11,212.00 & Capital Improvement Fund
Departmental Transfer#1
(Approved) **Ms. Burchett**

- d. Ratification
(None)
- e. Contract Approvals
(None)
- f. Personnel Changes
(Reported)
- g. New River Valley Visitor's Alliance Office Space
(Denied use of space – Notify Visitor's Alliance) **Ms. Safewright**
- h. Property/Auto/General Liability Insurance Renewal
FY 03
(Approved renewal of existing property, auto and
general liability coverage through VACorp –
Notify VACorp) **Ms. Burchett**
- i. Fiscal Agent Agreement - New River/Mount Rogers
Workforce Investment Board
(Adopted agreement providing for payment of
\$65,000 in the 2002-03 fiscal year to the New River
Planning District Commission – Arrange for
execution of agreement) **Ms. Hanks**
- j. Appropriation of \$900 for Additional Circuit Court
Computer
(Denied request for additional appropriation and
suggested clerk use funds from the Clerk's general
fund operations budget – Notify clerk) **Mr. Huber**
- k. Bike Virginia Support
(Approved use of van to support June ride) **Mr. Huber**
- l. Selection of Reassessment Firm
(Approved selection of Wingate Appraisal Service
based on previous history of appraisals in Pulaski
County and familiarity with Software – Notify
Wingate Appraisal Service) **Mr. Sayers**
- m. Building Usage Application
(Approved – File application) **Ms. Hanks**

10. Citizen Comments

(Paul Burke with Wampler Eanes inquired regarding award of reassessment proposals)

(Ms. Jean Anderson inquired regarding procedure for selection of reassessment firm)

11. Other Matters from Supervisors

(Board approved locating new animal shelter facility at Cloyd's Mountain location)

(Staff was requested to determine ownership of Lions Soccer Field and provide information via weekly update)

Mr. Akers

12. Closed Meeting –2.2-3711.A.1.3.5.7

(Schedule public hearing for June 24 Board meeting for disposition of Rt. 11 surplus property – Solicit "Request for Proposals" for development)

**Mr. Huber/
Ms. Safewright**

(Approved leasing of Renfro space to Volvo)

Mr. Tickner

13. Adjournment

May 13, 2002

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

- a. Proposed increase in the Motor Vehicle and Trailer License Tax rate (decal charges) for motor vehicles and/or trailers operated on the streets, highways or roads within the County, for automobiles and trucks from \$20.00 per vehicle per year to \$25.00 per vehicle per year; for motorcycles from \$8.00 per motorcycle per year to \$10.00 per motorcycle per year; and to impose a tax on trailers of \$10.00 per trailer per year. The Board of Supervisors will also hear public comments from citizens of Pulaski County on proposed changes in the Motor Vehicle and Trailer License Tax ordinance in addition to changes in the decal tax rate which will change the name of the ordinance from an Ordinance Establishing Motor Vehicle License and Trailer Tax for the County of Pulaski, to an Ordinance Establishing the Motor Vehicle and Trailer License Tax for the County of Pulaski, confirm the due dates of the tax, and will prohibit the transfer of a license sticker from vehicle to vehicle or trailer to trailer, will limit the issue of duplicate license decals, will make violation of said ordinance a misdemeanor and establish a penalty not to exceed that of a Class 4 misdemeanor and will provide terms for discharge of a violation of this ordinance. - A public hearing has been scheduled to consider the proposed increase as noted on the *enclosed* ordinance. In reviewing the state code to ensure all applicable changes are made to the ordinance at this time it was discovered that the State Code limits the volunteer fire and rescue personnel to one decal per year per volunteer.

The county has been granting two decals per vehicle since passage of an ordinance granting on March 17, 1981. We do not know when the code was changed but cannot find another way of reading the following language in the code (46.2-752 paragraph 11) – “In the case of active members of volunteer rescue squads and volunteer fire departments, applications for such licenses shall be accompanied by written evidence, in a form acceptable to the locality, of their active membership, and no member shall be issued more than one such license free of charge.”

- b. Proposed change in the Consumer Utility Tax Ordinance to include in that ordinance a ten percent (10%) tax on the first Thirty Dollars (\$30.00) of charge for local mobile

telecommunications services. - A public hearing has been scheduled to consider the proposed increase as noted on the ***enclosed*** ordinance.

- c. A rezoning request by **Irene King Robinson** (Life Estate) from Residential (R) to Agricultural (A1) on property identified by tax map no. 028-001-0000-0015, (1.000 acres), located at 6646 Hickman Cemetery Rd., (Rt. 624), Cloyd District. – A public hearing has been scheduled on this request. The Planning Commission recommends approval. ***Enclosed*** is information to date regarding this matter.
- d. A rezoning request by **Thomas M. Perdue & Carolyn P. Johnson** from Residential (R1) to Conditional Residential (R3) on a 29.09 acre portion of property identified by tax map no. 055-001-0000-0023, (174.775 total acres), located on the north & south sides of Country Club Dr. east of Lee Hwy (Rt. 11) and just north of Thornspring Golf Course, Massie District. - Due to the Planning Commission meeting being held after preparation of this packet, a recommendation cannot be made by the Planning Commission at this time, but will be submitted in the May 17 weekly update. ***Enclosed*** is information to date regarding this matter.
- e. A request by **Helen C. Hall (Life Estate)** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow a dance hall as either a use by-right, by Conditional Use Permit (CUP) or Special Use Permit (SUP) in the Agricultural District (A1); and A request by **Helen C. Hall (Life Estate)** for consideration of a Conditional Use Permit (CUP) or Special Use Permit (SUP) to allow a dance hall on property identified as tax map no. 061-002-0000-0002, zoned Agricultural (A1), (11.943 acres), located at 5027 Ponderosa Rd. (Rt. 634), Robinson District. Due to the Planning Commission meeting being held after preparation of this packet, a recommendation cannot be made by the Planning Commission at this time, but will be submitted in the May 17 weekly update. ***Enclosed*** is information to date regarding this matter.
- f. A request by **Wayne G. & Ella L. Brookman** for a Special Use Permit (SUP) to allow an accessory building above 150 sq. ft. without a principal dwelling per Section 5B-3 on property identified as tax map no. 048-005-0000-0122, zoned Residential (R1), on the south side of Rigney Dr. (Rt. 1046), 440 ft east of Springer Ave. (Rt. 1065), Cloyd District. - Due to the Planning Commission meeting being held after preparation of this packet, a recommendation cannot be made by the Planning Commission at this time, but will be submitted in the May 17 weekly update. ***Enclosed*** is information to date regarding this matter.
- g. A request by **Walter Daniel Lambert** for amendment to a Special Use Permit (SUP) to allow operation of a flea market six (6) days a week on property known as Wings of Eagles Church, identified by tax map no. 038-006-0000-0008, zoned Commercial (CM1), (1.430 acres), located at 6975 Lee Highway (Rt. 11), 350 ft. west of Camelot Farms Road, Cloyd District. Due to the Planning Commission meeting being held after preparation of this packet, a recommendation cannot be made by the Planning Commission at this time, but will be submitted in the May 17 weekly update. ***Enclosed*** is information to date regarding this matter.

- h. An initiative by the County of Pulaski for consideration of amendments to various sections of the Pulaski County Zoning Ordinance including combining special use and conditional use permits, revised definitions, site plan bond requirements, references to the Virginia Code, accessory structure requirements, administrative variances, sign regulations, and other miscellaneous changes.- Due to the Planning Commission meeting being held after preparation of this packet, a recommendation cannot be made by the Planning Commission at this time, but will be submitted in the May 17 weekly update. ***Enclosed*** is information to date regarding this matter.

May 13, 2002

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

- a. Follow-up from Previous Board meeting
 1. Request for Speed Study on Rt. 788, Jennings Rd., Rt. 787, Peak Creek Road, and Rt. 644/763, Hurston Road – The resident engineer may have information to share.
 2. Stilwell Road Improvements Update- The resident engineer may have information to share.
 3. Request for Guardrails Along Owens Road – The resident engineer may have information to share.
- b. Request for Speed Limit on Rt. 11 at intersection of Falling Branch Road – Following a community watch meeting, Sheriff Davis is requesting that the lowered speed limit from 55 mph to 40 mph approaching Fairlawn, be moved west, such that the intersection of Falling Branch Road and Rt. 11 be in the 40 mph zone, rather than the 55 mph zone, as is currently the case.
- c. Rural Addition Status Report – Realizing that the success of this program to date has been because staff has been able to focus on getting a smaller group of projects into the state system or appropriately responded to, I suggest a priority listing of up to 10 projects (two from each supervisory district) be reestablished. ***Enclosed*** is the overall listing of requested Rural Additions. This list will be annotated by staff this week to note projects with high likelihood of success for consideration by the Board in establishing work priorities. The annotated list will be provided in the weekly update. In addition to noting your priorities as Supervisors, it would be helpful if you know of someone in the particular community which staff can work for each recommended road.

/gh

May 13, 2002

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Key Activity Timetable - ***Enclosed*** is an updated Key Activity Timetable for review by the Board.
- b. Deed of Release – Vest & Wright, Inc. – As requested by the Board, ***enclosed*** is a picture of the current state of development for this subdivision. Approval to release the conditions of the deed are recommended.
- c. Appointments:
 1. Building Appeals Committee - The terms of Tom Douthat, Bobby Dunnigan and Paul Shelor expire June 30, 2002. They are eligible for reappointment.
 2. New River Community Services Board – The terms of Harold Chrisley, Joan Knode and Sue Thompson expire June 30, 2002. They are eligible for reappointment.
 3. New River Highlands Resource Conservation Council – The term of Walter Paulson expires June 30, 2002. He is eligible for reappointment.
 4. PEP Committees- The terms of Mike Williams, John Young, Debbie Brown, Mark Buckland, and Joe Weddle expire on June 30, 2002. They are eligible for reappointment.
 5. Social Services – The term of Mr. Sheffey expires on June 30, 2002. He is eligible for reappointment. In addition, Reverend Mike Travis has accepted the Board's invitation to fill the vacancy created by the resignation of Terri Sternberg.
 6. Town of Pulaski Flood Control Committee – Fred Blevins and Dan Bell have accepted the Board's invitation to serve. A formal appointment of these individuals is requested.

May 13, 2002

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Minutes of April 15, 22 & 29, 2002 – See ***enclosed***.
- b. Accounts Payable – Approval of the ***enclosed*** listing of accounts payable is requested.
- c. Appropriations & Transfers- Approval of the following appropriations, as noted on the ***enclosed*** documentation, is requested:
 1. Interoffice Transfer #11 - \$54,874.45
 2. General Fund Transfer #18 - \$1,102.00; #19 - \$200.00
 3. School Fund Appropriation #3 - \$61,756.88
 4. Capital Improvement Fund Appropriation #8 - \$11,212.00; & Capital Improvement Fund Departmental Transfer #1
- d. Ratification – There are no items submitted for ratification at this time.
- e. Contract Approvals - There are no contracts at this time
- f. Personnel Changes – ***Enclosed*** is an update of recent personnel changes as prepared by Ms. Burchett.
- g. New River Valley Valley Visitor's Center Alliance Office Space – Approval is requested to provide this organization with one of the Dublin Town Center offices. Currently, one office is assigned to the Red Cross and the other is pledged to the customs broker. However, the Red Cross was never able to staff the office and does not anticipate being able to do so in the near future. Allowing use of the facility by the Visitor's Alliance on a free but only "as available" basis would reduce the operating cost of this organization and put the office to productive use.

- h. Property/Auto/General Liability Insurance Renewal FY 03- Renewal of existing property, auto and general liability coverage through VACorp is recommended. Premium increases of \$19,160 are minimal in comparison with overall rate increases throughout the industry following the September 11 attacks. Please find ***enclosed*** a copy of the lines of coverage including the current premium amount as compared to the renewal premium amount.

- i. Fiscal Agent Agreement - New River/Mount Rogers Workforce Investment Board – Adoption of the ***enclosed*** agreement providing for payment of \$65,000 in the 2002-03 fiscal year to the New River Planning District Commission is recommended. These funds reimburse the Commission for financial management services as well as addressing cash flow issues resulting from reimbursement of costs only after funds are spent. The alternative would be for local government contributions to cover cash flow issues. Approval has been approved as an eligible expense by the funding agency, as well as requested by the Workforce Investment Board and the Planning District Commission. However, the Pulaski County Board of Supervisors serves as Fiscal Agent and has final approval authority. As proposed, the entire \$65,000 would be funded from state or federal revenues, which could not be used for non-Workforce Investment Act purposes.

- j. Appropriation of \$900 for Additional Circuit Court Computer – ***Enclosed*** is a request from Woody Lookabill for the purchase of an additional computer.

- k. Bike Virginia Support – The Bike Virginia organization is requesting the use of a van with which to support the June ride through Pulaski County. Approval is recommended pending review and approval by our insurance carrier.

- l. Selection of Reassessment Firm – Maynard Sayers, Eddie Hale and I plan to include a recommendation in the May 17 Weekly Update for consideration by the Board.

/gh

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May 13, 2002

TO: Board of Supervisors
FROM: Peter Huber, County Administrator
SUBJECT: Closed Meeting – 2.2-3711.A.1.3.5.7

At the time this packet was prepared (Sunday, May 12, 2002), there is no other need for a closed session unless Board members wish to discuss any of the appointments. All appointments can be filled by incumbents or are confirmations of previously discussed selections.

/gh