

FOLLOW-UP ACTION

ACTION	KEY STAFF
1. <u>Invocation</u>	
2. <u>Additions to Agenda</u>	
(Mr. Sheffey recognized government class students in attendance at meeting, Shawn Utt of the Planning District Commission for his work leading to the recent sewer funding announcement, and Jack Gill for his recent participation in the Boston Marathon)	
3. <u>Presentation of Resolution to Michael Gay</u> (Presented resolution – Mr. Gay provided an update re: upcoming Claytor Lake festivities)	
4. <u>Public Hearings:</u>	
a. <u>A request by Ernest C. & Elizabeth D. Smoake for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow a windmill as either a use by-right, or Special Use Permit (SUP) in the Residential District (R1).</u> (Approved option 4, as recommended by Planning Commission, which allows amending the ordinance to allow windmills (or other structures), by themselves, in excess of the maximum height requirement of the zoning district by Special Use Permit only – Notify applicant)	Mr. Tickner/ Ms. Taylor
b. <u>A request by Steven G. Cole, ET AL for a Special Use Permit (SUP) to allow construction of more than one dock on a lot per Article 8-8, on property owned by American Electric Power, adjacent to property identified as tax map no. 066-029-0000-0005, zoned Residential (R1), (6.610 acres), located at 4800 Lake Cliff Dr., Draper District.</u> (Approved, as recommended by Planning Commission – Notify applicant)	Mr. Tickner/ Ms. Taylor

- c. Request for Waiver of Noise Ordinance
(Approved waiver for a three month period to allow for the band to practice up to midnight, conditioned on the Sheriff's Department not receiving any complaints from the public, the band agreeing to stop practicing after 10:00 p.m. if such complaints are received, and no practicing by the band on Wednesday or Sunday nights – Notify applicant)

Ms. Hanks

5. Highway Matters:

a. Follow-up from Previous Board meeting:

1. Allisonia Bridge Repairs/Replacement
(VDOT reported still working on design and weight limit will be reviewed with upcoming inspection)
2. Update on Alum Spring Road Speed Limit
(VDOT reported still under review – Place update on May agenda)
3. Request for Speed Limit Increase at Dunkard's Bottom
(VDOT reported still under review – Place update on May agenda)
4. At-Grade Railroad Crossings between Rt. 11 & Rt. 747
(Board approved dropping project based on railroad's decision to only close one crossing – Notify railroad)
5. Hazel Hollow Road & Young Road Signage
(VDOT reported signs have been installed)
6. Black Hollow Lane & Horseshoe Loop Speed Limit Signs
(VDOT to post at 35 mph, pending determination of statutory 25 mph limit)
7. Request to Add Scott Road into the State System
(VDOT determined does not have the required width to qualify and only has one resident)

Ms. Hanks

Ms. Hanks

Mr. Huber

8. Update re: Charles Drive & Howery Road
(VDOT advised nothing can be done to prevent "through traffic")
 9. Update on Erosion Near Max Creek Bridge
(VDOT reported roadside is stable, but will continue to monitor)
 10. Rt. 643 Turning Lane at PCHS
(VDOT plans to apply for safety funds or add to six year plan – VDOT to provide estimate – Place update on May agenda) Ms. Hanks
 11. Little Creek Bridge
(VDOT to place in next year's budget)
 12. Parrott Mountain Road Deterioration
(VDOT reported some patching has been done)
- b. Rural Addition Status Report
(Lindsay Lane - Supervisor Akers reported a response from the church was expected in July – Place update on upcoming Board agendas for possible earlier update from church) Ms. Hanks
 - b. Rt. 711, Mines Road
(Advertise for May Board meeting for the abandonment of 0.2 miles) Ms. Taylor/
Ms. Hanks
 - d. Citizen Concerns
(Joyce Thorne questioned how plans were progressing for drainage work to be done on Dunkard's Road - VDOT confirmed the project is scheduled for the summer of 2004 – Ms. Thorne requested VDOT fill in gravel on road – VDOT will review)
 - e. Board of Supervisors Concerns

(Supervisor Conner requested tar and gravel on road between Hatcher Road and Fairview Home – Place update on May Board agenda) Ms. Hanks

(Supervisor Akers inquired regarding guardrail installation in the county – VDOT advised of a change in contractors due to there being little progress being made in the entire region)

(Supervisor Akers inquired regarding funding for the Rt. 114 bridge – VDOT advised funding would be provided in the next five years)

(Supervisor Pratt advised of a hole in the culvert in the blacktopped area on Delton Road– VDOT to check and provide update at May Board meeting – Place update on May agenda)

Ms. Hanks

(Supervisor Sheffey requested “Children at Play” signage on Rt. 606 – Board approved requesting placement of signs by VDOT – Send VDOT resolution)

Ms. Hanks

(Supervisor Sheffey advised of hole on left side of intersection of Rts. 798 & 624 – VDOT to review and provide update at May Board meeting – Place update on May agenda)

Ms. Hanks

(Supervisor Sheffey inquired regarding funding impact on VDOT projects, should the state not adopt a budget in a timely manner – VDOT advised construction on the Memorial Bridge would be halted, further that VDOT will have to make a decision by mid May of action to be taken)

6. Treasurer’s Report
(Reported)

7. Presentations:

- Virginia Association of Counties
(Mr. Dean Lynch provided update regarding services offered by VACO and encouraged participation by Board members)

8. Citizens’ Comments
(None)

9. Reports from the County Administrator & Staff:

a. Key Activity Timetable

(Approved requesting "Children at Play" signage at Randolph Park – Send resolution to VDOT)

Ms. Hanks

(Determine target "end" date for Facility Design for Rolling Hills and Orchard Hills sewer design – Change KAT)

Ms. Hanks

(Change target "end" date for Construction Management of CAB renovation on Central Gym to May 04)

Ms. Hanks

(Change target "end" date for Construction Management of elevator to July 04)

Ms. Hanks

(Under Recreation, change the seating of proposed picnic shelters at Randolph Park from 20-30 persons to 50 persons)

Ms. Hanks/
Mr. A. Akers

(Supervisor Akers requested Board ask VDOT to consider posting 10-15 mph speed postings at Randolph Park – Place on May agenda for consideration by VDOT)

Ms. Hanks

b. Budget Presentation

(Presented and pledged support of staff in Board's evaluation of budget options, etc.)

c. Appointments

1. NRRA Recycling Committee

(Request Jean Anderson consider serving and place update on May agenda)

Ms. Hanks

2. Board of Zoning Appeals

(Submit to Circuit Court the nomination of Tony Nicolo and Melvin Reece for additional terms when terms expire on June 30, 2004)

Mr. McCarthy

(Contact Richard Jones to determine interest in serving on BZA Board and place nomination on May agenda)

Mr. Tickner
Ms. Jenkins
Ms. Hanks

3. NR Highlands Resource Conservation Council
(Request Mike Cox consider serving and place update on May agenda) Ms. Hanks
 4. PEP Appointments
(Reappointed all individuals with terms expiring June 30, 2004 with the exception of Jeff Irby who is longer at FNB – Request Mary Tabor of FNB consider serving – Notify appointees as appropriate) Ms. Safewright
 5. Planning Commission
(Reappointed Richard Guthrie for an additional four year term ending June 30, 2008 – Notify Mr. Guthrie) Ms. Hanks
 6. Jamestown 2007 Committee
(Appointed Ms. Carolyn Mathews – Notify Ms. Mathews) Ms. Burchett
 7. Commerce Park Land Use Committee
(Appointed Supervisor Eddie Hale to committee – Notify PDC) Ms. Hanks
10. Items of Consent:
- a. Approval of Minutes of March 22, 2004
(Approved) Ms. Hanks
 - b. Accounts Payable
(Approved) Ms. Spence
 - c. Appropriations & Interoffice Transfers
(Approved) Ms. Burchett
 - d. Ratification

(None)
 - e. Contracts, Change Orders & Agreements:
 1. Operational Agreement Between Board of Supervisors & PSA
(Approved, subject to bond counsel and county attorney review and approval) Mr. McCarthy

2. Pretreatment Agreement Between Pepper's Ferry Regional Wastewater Treatment Authority & the County of Pulaski, Virginia
(Approved – Transmit to Pepper's Ferry)

Ms. Hanks

f. Personnel Changes
(Reviewed)

g. Refinancing
(Approved resolution and all other acts necessary to accomplish refinancing)

Mr. McCarthy

h. Polyester Park Water & Sewer Plans
(Approved resolution and all other acts necessary to expedite start of construction)

Mr. Utt

i. Community Broadband Service
(Endorsed implementation of community broadband service)

Mr. Huber

j. Subdivision Sewer Service Resolution
(Approved Resolution of Governing Body, Loan Resolution, Management and Operation Agreement, Code of Conduct, Environmental Mitigation Resolution, Engineering Agreements with Draper Aden and Anderson and Associates and the Legal Services Agreement with Tom McCarthy for project)

Mr. Utt/Ms. Hanks

k. Ordinance to License and Regulate Pawnbrokers in Pulaski County
(Approved change to ordinance to conform to a revision in the State Code (54.1-4003) to require a \$50,000 bond rather than the \$5,000 in the current county ordinance – Notify constitutional officers)

Ms. Hanks

l. Animal Shelter Fundraising
(Approved concept as submitted for naming of rooms at Animal Shelter)

11. Citizen Comments
(None)

12. Other Matters from Supervisors

(Supervisor Akers requested staff provide a report on approvals, right-of-way requirements and all related resolutions concerning recent Board action on Rich Hill Lane and provide an update at May Board meeting – Place update on May agenda)

Ms. Taylor/
Ms. Hanks

(Confirm with VACO attendance by Supervisor Akers at VACO Transportation Steering Committee meeting on May 7)

Ms. Hanks

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

(Approved appointing an ad-hoc committee to review options for building usage planning – Request Ken Bowling, Maynard Sayers, H. W. Huff, Jr., Charles DeHart, Mark Hamric, Lewis Pratt, Eddie Crewes, Richard Jones and a School Board representative consider serving – Place appointment on May or June agenda)

Mr. Huber
Ms. Safewright

Ms. Hanks

(Approved expenditure of \$5,293.17 to Fairview District Home for capital expenses per request)

Ms. Spence
Ms. Burchett

14. Adjournment

April 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Public Hearings

- a. A request by Ernest C. & Elizabeth D. Smoake for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to allow a windmill as either a use by-right, or Special Use Permit (SUP) in the Residential District (R1). - A public hearing has been scheduled regarding this matter. The Planning Commission recommends option number 4, allowing windmills by Special Use Permit, in the Residential (R1) Zoning District as described on the ***enclosed*** information.

- b. A request by **Steven G. Cole, ET AL** for a Special Use Permit (SUP) to allow construction of more than one dock on a lot per Article 8-8, on property owned by **American Electric Power**, adjacent to property identified as tax map no. 066-029-0000-0005, zoned Residential (R1), (6.610 acres), located at 4800 Lake Cliff Dr., Draper District. - A public hearing has been scheduled regarding this matter. The Planning Commission recommends approval as described on the ***enclosed*** information.

- c. Request for Waiver of Noise Ordinance - Mr. Mike Bulman is requesting an undue hardship waiver from the Pulaski County Noise Ordinance to allow his band to continue practicing in the Fairlawn Storage facility after 10:00 p.m. The following section of the Noise Ordinance pertains to the granting of a waiver by the Board of Supervisors. A copy of the ordinance in its entirety is ***enclosed***. The Sheriff reports that one of his officers heard the music from Rt. 11 and located the band in practice.

The following is a copy of the section of the noise ordinance pertaining to waivers:

Section H. Undue **hardship waiver**.

- (a) Any person responsible for a noise source may apply to the Board of Supervisors for a waiver, or partial waiver, from the provisions of this article. The Board of Supervisors may grant such waiver, or partial waiver, upon a finding that any of the following circumstances exists:

(1) The noise does not endanger the public health, safety or welfare; or

(2) Compliance with the provisions of this article from which a waiver is sought would produce serious economic hardship without producing substantial benefit to the public.

(b) In determining whether to grant such waiver, the Board of Supervisors shall consider the time of day the noise will occur, the duration of the noise, whether the noise is intermittent or continuous, its extensiveness, the technical and economic feasibility of bringing the noise into conformance with this article and such other matters as are reasonably related to the impact of the noise on the health, safety and welfare of the community and the degree of hardship which may result from the enforcement of the provisions of this article.

(c) No waiver, or partial waiver, issued pursuant to this article shall be granted for a period to exceed one year, but any such waiver, or partial waiver may be renewed for successive like periods if the Board of Supervisors shall find such renewal is justified after again applying the standards set forth in this ordinance. No renewal shall be granted except upon written application therefore.

/gh

April 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

a. Follow-up from Previous Board meeting:

VDOT has been requested to provide an update regarding the following matters from the February 23 Board meeting:

1. Allisonia Bridge Repairs/Replacement
2. Update on Alum Spring Road Speed Limit
3. Request for Speed Limit Increase at Dunkard's Bottom
4. At-Grade Railroad Crossings between Rt. 11 & Rt. 747
5. Hazel Hollow Road & Young Road Signage
8. Black Hollow Lane & Horseshoe Loop Speed Limit Signs
7. Request to Add Scott Road into the State System
8. Update re: Charles Drive & Howery Road
9. Update on Erosion Near Max Creek Bridge
10. Rt. 643 Turning Lane at PCHS
11. Little Creek Bridge
12. Parrott Mountain Road Deterioration

b. Rural Addition Status Report – A report from Ms. Taylor will be provided in the April 23 weekly update additions.

/gh

April 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Key Activity Timetable (KAT) – ***Enclosed*** is an updated Key Activity Timetable which now includes items specifically listed as the 4-year goals of the Board.
- b. Budget Presentation – ***Enclosed*** are budget recommendations being sent to departments, constitutional officers and agencies for their comment at a May 3 budget work session, should they have concerns. I plan to include a draft of the budget message in the April 23 weekly update. These figures assume continuation of state funding at the same level as last year since we do not have estimated state revenues or any information on pay rate changes for constitutional officers. Should there be any additional revenue from the State, I recommend it be used to fund additional capital items or set aside as an additional contingency. ***Enclosed*** is a draft of my budget message.
- c. Appointments – The following information is provided regarding appointments:
 1. NRRA Recycling Committee - As requested by the Board, an article was placed in the Southwest Times soliciting volunteers. To date, no one has expressed an interest in filling this vacancy.
 2. Board of Zoning Appeals - As requested by the Board, an article was placed in the Southwest Times soliciting volunteers. To date, no one has expressed an interest in filling this vacancy.

In addition, the terms of Tony Nicolo and Melvin Reece expire on June 30, 2004. Both are eligible for reappointment.
 3. NR Highlands Resource Conservation Council - As requested by the Board, an article was placed in the Southwest Times soliciting volunteers. To date, no one has expressed an interest in filling this vacancy.

4. PEP Appointments – ***Enclosed*** is a memo advising of those individuals whose terms will expire on June 30, 2004. All are eligible for reappointment.
5. Planning Commission – The term of Richard Guthrie expires on June 30, 2004. Ms. Guthrie is eligible for reappointment and has expressed a desire to continue serving.
6. Jamestown 2007 Committee – Appointment of Carolyn L. Mathews, daughter of Lloyd Mathews, requested.
7. Commerce Park Land Use Committee – It is my understanding an appointment is needed to replace former supervisor Bruce Fariss on this committee. Currently, Mr. Sheffey also serves on the committee. Mr. Sheffey has recommended Mr. Hale consider this appointment.

PMH/gh

April 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Approval of Minutes of March 22, 2004 - See ***enclosed*** minutes.
- b. Accounts Payable – A listing of accounts payable will be provided in the April 23 weekly update.
- c. Appropriations & Interoffice Transfers – Approval of the ***enclosed*** interoffice transfer and appropriations as followed is requested:
 1. Interoffice Transfer #10 - \$54,994.97
 2. General Fund Appropriation #13 - \$96,911.25; Budget Transfer from Contingency #2 -0-.
 3. School Fund Appropriation #17 - \$28,061.36; #18 - \$23,343.83; #19 - \$109,588.84; and Budget Adjustment #20 & 21 -0-.
 4. Virginia VPA Fund #3 - \$114,000.
- d. Ratification - There are no items submitted for ratification at this time.
- e. Contracts, Change Orders & Agreements
 1. Operational Agreement Between Board of Supervisors & PSA- Approval of the ***enclosed*** agreement is requested. The PSA Board approved this agreement on December 9, 2002; however, it was never submitted to the Board of Supervisors for approval. This error was discovered as part of the refinancing and consolidation of existing county and PSA debt.
 2. Pretreatment Agreement Between Pepper's Ferry Regional Wastewater Treatment Authority & the County of Pulaski, Virginia – Approval of the ***enclosed*** agreement is recommended.

- f. Personnel Changes – ***Enclosed*** is a listing of recent personnel changes as prepared by Ms. Burchett.
- g. Refinancing – ***Enclosed*** is a draft resolution authorizing the refinancing of existing PSA/County debt for water and/or sewer lines. This refinancing will also place all utility lines built prior to 1994 in the ownership of the PSA. Approval of this resolution and related documents is recommended.
- h. Polyester Park Water and Sewer Plans – Shawn Utt has obtained approval by Rural Development for us to proceed with the installation of utility lines in Polyester Park prior to completion of preliminary issues for other parks. ***Enclosed*** is the required letter requesting authorization by the PSA to begin incurring expenses. Approval of this letter and all other acts necessary to expedite the start of construction on this project is recommended.
- i. Community Broadband Service – ***Enclosed*** is a strategy for implementation of community broadband service. Endorsement by the Board will make it easier to solicit the assistance of Virginia Tech and private sector providers. Initially, we plan to calculate the total ongoing cost being paid by the schools, county, and other public agencies in the New River Valley to see if an interconnecting network using one common connection to the internet could be built for a lesser overall long-term cost.
- j. Subdivision Sewer Service Resolution - Rural Development funding guidelines require adoption of the following resolutions and policies by the Board of Supervisors as the borrower:
 - 1. Resolution of the Governing Body – ***Enclosed***
 - 2. Loan Resolution – ***Enclosed***
 - 3. Management and Operation Agreement – ***Enclosed***
 - 4. Code of Conduct – ***Enclosed***
 - 5. Environmental Mitigation Resolution – ***Enclosed***
 - 6. Engineering agreements with Draper Aden and Anderson Associates – to be included in the April 23 weekly update
 - 7. Legal Services Agreement with Tom McCarthy for this specific project – Draft ***enclosed.***

The extension of sewer service to the Rolling Hills, Orchard Hills and Vista subdivisions involves a moral obligation by the Board of Supervisors to repay the \$804,400 Rural Development loan. This debt will be repaid through a Public Service Authority mandatory minimum monthly billing of \$20 per month per occupied household with a 75% discount for apartments. Thereafter residents would be required to pay the normal county-wide sewer fee of \$3.50 per 1,000 gallons used. The division of engineering work into two contracts with separate responsibilities for specific subdivisions is an effort to expedite these projects as much as possible with construction expected to take place in the summer of 2005.

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April 19, 2004

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:

- American Electric Power (AEP) Building – AEP is asking for some indication of interest the county may have in purchasing the AEP Bob White Building. AEP proposes to purchase a parcel in the Corporate Center on which to build a smaller service center building. Delaying the purchase of the building would be helpful in that it would require a commitment of all currently unobligated county reserves or a borrowing of additional funds. The building does provide an image of quality. ***Enclosed*** are the two existing building reuse plans along with a third suggested by the staff involving the relocation of the County Administration, School Board and Sheriff's offices to the AEP building with the expansion of Social Services and Health Department into the vacated portion of the Administration building. I recommend appointment of an ad-hoc advisory committee to review these options, with the committee potentially consisting of two representatives each from the Board of Supervisors and School Board, the Sheriff, one representative each from both towns of Dublin and Pulaski, and two citizen representatives.
- Commerce Park – The Commerce Park Participation Committee recommends consideration to the purchase of 396 additional acres from Edwina Dalton Phillips at a cost of \$5,500 per acre. This purchase would be funded through an additional Rural Development loan to be paid from existing participation payments with no projected increase in local costs. The property would have to

be rezoned and a meeting with interested citizens has been planned prior to expected posting of the property by Monday, April 26.

Personnel:

- Appointments – See ***enclosed*** memo as noted in under Reports from County Administrator and Staff.

Prospective Industry:

Shell Building Rental – See ***enclosed*** memo and spreadsheet from Dave Tickner. The use of the building would involve an IDA loan to finish the building with costs to be amortized over 15 years, execution of a 10 year lease and a \$70,000 annual return to the County in return for its investment in the building. Recommendation of this arrangement is based on the overall impact Volvo has on the community and the potential for attracting supplier industries as well as a favorable public perception regarding the use of the building.

Legal Matters:

- Fairview Home Legal Liability – See ***enclosed*** memo from Nancy Burchett.
- REMSI Contract and Legal Liability – REMSI has submitted a proposal to extend their service area to include Floyd County. John Casey, Executive Director, and Dave Stanley who represents Pulaski County on the REMSI Board, would like to discuss the potential for this expansion with the Board. Funding and other fiscal aspects of the program expansion would be separated from Pulaski County.

/gh

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 April 26, 2004 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:

- ◆ American Electric Power Building
- ◆ Commerce Park Property

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

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 Client

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:

- ◆ Fairview Home Finances

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____