

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Mon., July 26, 2004
7:00 p.m.**

FOLLOW-UP

ACTION ITEM	KEY STAFF
1. <u>Invocation</u>	
2. <u>Presentation of Resolutions</u>	
a. <u>Richard White</u> (Presented)	
b. <u>Richard Johnson</u> (Invite Mr. Johnson to attend August 23 Board meeting)	Ms. Hanks
c. <u>Pulaski Wolves 10 and Under AAU Girls Basketball</u> (Presented resolution, framed newspaper article, individual Randolph Park pool passes and county pins to players and coaches – Board members were invited to attend a cookout honoring team on August 7 at UAW Union Hall at 5:00 p.m.)	
3. <u>Additions to Agenda</u> (Reviewed memo noting additions to agenda)	
4. <u>Public Hearings:</u>	
a. <u>A rezoning request by Elga M. and Bonnie S. Henley from Residential (R1) to Agricultural (A1) on property identified as tax map no. 066-001-0000-0047, 1.28 acres, located at 6376 Cardinal Dr., Ingles District.</u> (Approved as recommended by Planning Commission – Notify applicant)	Ms. Taylor
b. <u>A request by Findlay Industries for a Special Use Permit (SUP) to allow light manufacturing per Section 4-3 of the Commercial District (CM1) on property owned by Dublin Fairacres Limited Partnership identified as tax map no. 056-002-0002-0030, zoned Commercial (CM1), 5.1300 acres, located at 4697 Cleburne Blvd., Draper District.</u> (Tabled to August 23 Board meeting to allow Planning Commission opportunity to prepare text amendments for presentation to Board – Place on August 23 Board agenda)	Mr. Tickner Ms. Hanks

- c. A request by **New River Retreat LLC c/o Deborah P. Gardner** for a Special Use Permit (SUP) to allow a camper per Article 5B-3, on property identified as tax map no. 122-003-0000-0001 (.63 acres) & 122-003-0000-0002 (.61 acres), zoned Residential (R1), located immediately east of 4046 Clark Ferry Rd., Draper District.
(Approved as recommended by Planning Commission – Notify applicant) Ms. Taylor
- d. Budget Amendment
(Approved amending FY 05 budget by \$2,342,105.38 - Notify affected agencies as appropriate) Ms. Burchett

5. Highway Matters:

- a. Follow-up from Previous Board meeting:
 - 1. Allisonia Bridge Repairs/Replacement
(VDOT advised work is ongoing with advertising date expected late 2005 – Place update on August agenda) Ms. Hanks
 - 2. Update on Alum Spring Road Speed Limit
(VDOT reported posting to remain 40 mph)
 - 3. Update on Rt. 785, Booker Branch Road, and Rt. 732 Young Road, Rural Rustic Request
(VDOT advised Rt. 785 would qualify for rural rustic status; however, Rt. 732 did not qualify due to traffic count being under 50 vehicles per day – VDOT to review traffic count on Rt. 732 – VDOT advised Rt. 785 would need to be placed in six year plan to qualify for rural rustic status and this could be considered at six year plan hearing in the fall – Place update on Rt. 732 on August Board agenda) Ms. Hanks
 - 4. Viscoe Road Speed Limit Results
(VDOT reported informal study indicated 40 mph posting would likely remain – Notify Benny Keister) Ms. Hanks
 - 5. Request to Cut Back Bank on Old Rt. 11
(VDOT continuing to review – Place update on August Board agenda for update) Ms. Hanks
 - 6. Maintenance of Private Roads Serving Town Homes

Across from Riverlawn Elementary School

(Mr. Huber advised that utilities currently located under the roadway would need to be relocated before VDOT can accept road as as recordation of an easement for drainage; installation of a turn lane, curb and guttering and dedication of right-of-way – Staff to arrange meeting with homeowners at Riverlawn Elementary School)

Ms. Taylor/VDOT

7. Delton Road Culvert Status

(VDOT to review culvert status at 2742 Delton Road – Place update on August Board agenda)

Ms. Hanks

8. Charles Drive Potholes

(VDOT to check road and patch as appropriate – Place update on August agenda)

Ms. Hanks

9. Whitt Southern Road Striping

(VDOT will review and provide update at August Board meeting – Place update on August Board agenda)

Ms. Hanks

10. Little Creek Low Water Bridge

(Overall repair and more patching needed – VDOT to provide update at August Board meeting – Place on August Board agenda)

Ms. Hanks

b. Rural Addition Status Report

(Review – Supervisor Akers reported unable to make contact with church re: Lindsay Lane – Leave on list, but change date to December)

Ms. Taylor

c. Citizen Concerns

(Joyce Thorne expressed concern regarding a change in the scheduling of Dunkard's Bottom drainage improvements by VDOT, specifically a change in the initial construction date reported by VDOT for the summer of 2004 with a new schedule of improvements consisting of an advertisement date in 2005)

(Mr. Clarke requested and Board concurred with 6-year plan hearing in October 2004, with decision on plan to be made at November 2004 Board meeting)

d. Board of Supervisors Concerns

(Supervisor Conner expressed concern that Hatcher Road tar and graveling had not been done – VDOT to review and provide update at August Board meeting – Place update on August agenda)

Ms. Hanks

(Supervisor Conner requested VDOT review the speed limit on Black Hollow Lane and expressed concern that state law authorizes a 25 mph posting – VDOT to review and provide update at August Board meeting – Place on August agenda)

Ms. Hanks

(Supervisor Akers expressed concern that VDOT had advised Dunkard's Road drainage would be addressed this year and then rescheduled for next year, as well as rescheduling of other road projects)

(Supervisor Akers requested VDOT review Rt. 605, Shelburne Road, specifically the shifting of asphalt due to traffic making turn – Place update on August agenda)

Ms. Hanks

(Supervisor Pratt requested VDOT look at recent paving around, rather than removal of, a rock on Old Baltimore Road between Delton and Barrett Ridge Road – Place update on August agenda)

Ms. Hanks

(Supervisor Sheffey requested updates on the Rt. 114 and Memorial bridges – VDOT reported Rt. 114 bridge is projected for 2009, with Memorial Bridge completion projected for the fall of 2004)

6. Treasurer's Report and Demonstration of Internet Based Credit Card Payment Option
(Presented monthly report)

(Treasurer and staff demonstrated Internet based credit card payment option and noted the Public Service Authority also plans to allow for payment of utilities on line with credit card – Board noted concern with fees and recommended county web site changes clarifying that additional fees are not being charged by the County or Treasurer – Modify site)

Mr. Spangler

7. Citizens' Comments

(Rhonda Albert, representing the Pulaski County High School Drama Department, presented information regarding funding needs to send 40 drama students to Scotland in 2005 and requested assistance from Board – Staff to provide committee overseeing special funding requests with documentation presented and request committee provide a recommendation to Board by September 2004 – Place on September agenda - Board suggested Ms. Albert contact state legislators for support, apply for grants available, as well as contact School Board to apply for funds from the New River Valley Community Foundation and C. E. Richardson Foundation)

Mr. Akers/Mr. Wallis
Ms. Hanks

8. Presentation of FY 03 Audit

(Request a presentation be made in August – Place on August agenda)

Ms. Burchett
Ms. Hanks

9. Reports from the County Administrator & Staff:

a. Historic Designation

(Board concurred with recommendations from staff, specifically: proposing historic overlay zoning district; advise applicant(s) to start process of having property placed on the State & National Historic Register; initiate action to become certified local government in order to qualify for possible granting fund)

Mr. Tickner

(Supervisor Conner expressed concern regarding safety issues on historic structures – Inspection staff to check for safety and structural code compliance)

Ms. Hampton

b. Scheduling of Administrator's Evaluation

(Scheduled for August 30 at 6:00 p.m., with second choice of September 20)

Mr. McCarthy

c. Key Activity Timetable
(Reviewed)

(Change dates of construction of elevator to "Completed",
Central Gym improvements to "Sept. 04", and
Elevator foyer to "Oct. 04")

Ms. Hanks

(Change date under Intergovernmental Relations –
School Building Program – Claremont/Northwood
Schools to "Oct. 04")

Ms. Hanks

(Mr. Huber advised staff is applying for a grant
for a mitigation program, specifically to be used for
construction of a new Sheriff's Office due to
potential flooding along Peak Creek, with grant
funding to be for \$1.2 million)

d. Appointments

1. NRRA Recycling Committee

(Request Clean Community Council suggest
an individual to serve on committee – Place
update on August Board agenda)

Mr. Tickner

Ms. Hanks

2. NR Highlands Resource Conservation Council

(Staff to confirm Malcolm Boothe's interest in
serving – If Mr. Boothe is unable to serve, provide
Board of Supervisors with additional information
on functions of Council – Place on August Board
agenda)

Ms. Hanks

3. New River/Mount Rogers Workforce Investment Board
Youth Nomination

(Staff to request nomination from Social Services –
Place update on August Board agenda)

Mr. A. Akers

Ms. Hanks

4. Social Services Board

(Place appointment of Jeanne Whitman on
August 23 agenda)

Ms. Hanks

- e. Personal Property Tax Collections
(Staff advised of procedures planned by the state in the administration of the Personal Property Tax Relief Act which will affect the due date for payment of personal property taxes – Board approved scheduling a public hearing for its August 23 meeting to change the due date for taxes to October 15, 2005, prorating the decal cost to \$16.50, conducting an extensive public information campaign, requesting help from the Sheriff's Department in enforcing decal purchases and requesting towns of Dublin and Pulaski adopt a similar deadline – Advertise public hearing on August 8 & 15 – Prepare ordinance revisions)
- Ms. Taylor
Mr. McCarthy

10. Items of Consent:

- a. Approval of Minutes of June 28, 2004
(Approved)
- Ms. Hanks
- b. Accounts Payable
(Approved)
- Ms. Spence
- c. Appropriations & Interoffice Transfer
(Approved)
- Ms. Burchett
- d. Ratification:
- Elevation Equipment Inspection Service, LLC Agreement
(Ratified)
- e. Contracts, Change Orders & Agreements
1. Phone System Purchase Agreement – Animal Shelter
(Approved, subject to review by County Attorney)

Ms. McCarthy/
Mr. C. Akers

 - 2. Agreement with Verizon for Transfer of 911 Information
(Approved, subject to review by County Attorney)

Ms. McCarthy/
Mr. C. Akers
- f. Personnel Changes
(Reviewed)

- g. 2005 Legislative Items
 (Approved submitting items of concern including Comprehensive Services Act funding, Transportation funding, Educational funding, Enabling Utilization of an Admission Tax, Developing a Partnership with Local Governments, and Protecting Competitive Edge – Send to legislators) Ms. Safewright
- h. Highland Park Sewer Resolution(s)
 (Approved – Arrange for appropriate execution of documents and send to Shawn Utt) Ms. Hanks
- i. New River Valley Citizens Corp & Community Emergency Response Team Participation
 (Approved participation in regional efforts, with no local funding required at this time, other than use of staff time in organizational efforts)
- j. Memorandum of Understanding – Amateur Radio Relay League
 (Approved, subject to review by County Attorney and to agreement being “non exclusive”) Mr. McCarthy/
 Mr. Richardson
- k. Emergency Operations Plan – Mental Health Annex
 (Approved, subject to review by County Attorney – Notify appropriate agency) Mr. McCarthy/
 Mr. Richardson
- l. Utilization of PDC Staff to Apply for Technology Grants
 (Approved contracting with the NRVPDC for the administration of technology related grant applications) Mr. Utt
11. Citizen Comments
 (None)
12. Other Matters from Supervisors
 (Supervisor Akers expressed concern regarding lack of follow-up on Special Use Permit expiration dates – Staff to establish follow-up procedures and provide Board with copy of procedures) Mr. Tickner
- (Staff to discuss with Mr. Clarke overall Board and VDOT communications and also request VDOT organizational chart) Mr. Huber

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

(Approved legal contract with county attorney -
Arrange for execution of final agreement)

Mr. McCarthy

14. Adjournment

July 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Public Hearings

- a. A rezoning request by Elga M. and Bonnie S. Henley from Residential (R1) to Agricultural (A1) on property identified as tax map no. 066-001-0000-0047, 1.28 acres, located at 6376 Cardinal Dr., Ingles District - A public hearing has been scheduled regarding this matter. The Planning Commission recommends approval, as described on the ***enclosed*** information.
- b. A request by **Findlay Industries** for a Special Use Permit (SUP) to allow light manufacturing per Section 4-3 of the Commercial District (CM1) on property owned by **Dublin Fairacres Limited Partnership** identified as tax map no. 056-002-0002-0030, zoned Commercial (CM1), 5.1300 acres, located at 4697 Cleburne Blvd., Draper District - A public hearing has been scheduled regarding this matter. The Planning Commission recommends denial, as described on the ***enclosed*** information. However, please note an additional recommendation by the Planning Commission to address this issue.
- c. A request by **New River Retreat LLC c/o Deborah P. Gardner** for a Special Use Permit (SUP) to allow a camper per Article 5B-3, on property identified as tax map no. 122-003-0000-0001 (.63 acres) & 122-003-0000-0002 (.61 acres), zoned Residential (R1), located immediately east of 4046 Clark Ferry Rd., Draper District - A public hearing has been scheduled regarding this matter. The Planning Commission recommends approval, as described on the ***enclosed*** information.
- d. Budget Amendment - ***Enclosed*** please find a copy of the budget amendment advertisement amending the FY 05 budget by \$2,342,105.38. As you know, state law mandates that a public hearing be held on additional appropriations that are \$500,000 or more or equal 10% of the total budget. This code section would also apply to carry over amounts. The \$500,000 previously approved by the Board of Supervisors for school textbooks and related materials has been included in this advertisement. The

\$278,058.35 reflected under the school fund is federal grant projects not spent at June 30, 2004 and needs to be carried over to FY05. Also, we have included carry over amounts for the General Fund and the Capital Improvements Fund. ***Enclosed*** please find a spreadsheet for these funds that gives the details of these amounts for your information and review. It is recommended that this budget amendment be approved and funds be appropriated as advertised.

/gh

July 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 June 28 Board meeting:

1. Allisonia Bridge Repairs/Replacement
2. Update on Alum Spring Road Speed Limit
3. Update on Rt. 785, Booker Branch Road, and Rt. 732
Young Road, Rural Rustic Request
4. Viscoe Road Speed Limit Results
5. Request to Cut Back Bank on Old Rt. 11
6. Maintenance of Private Roads Serving Town Homes
Across from Riverlawn Elementary School
7. Delton Road Culvert Status
8. Charles Drive Potholes
9. Whitt Southern Road Striping
10. Little Creek Low Water Bridge

b. Rural Addition Status Report – ***Enclosed*** is an updated report from Ms. Taylor.

/gh

July 19, 2004

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Historic Designation – We are waiting confirmation from the Virginia Department of Historic Landmarks in order to complete a report to the Board regarding the potential impact of local historic designation. We hope to have a copy of the report ready for inclusion in the weekly update.
- b. Scheduling of Administrator's Evaluation – The following Monday evening dates would be suitable for the McCarthy's in hosting this meeting: August 2, 16, 30, September 13 and 20. Sally McCarthy's father is in poor health and we would like to set two dates approximately two weeks apart should something occur with his health.
- c. Key Activity Timetable (KAT) – ***Enclosed*** is an updated Key Activity Timetable.
- d. Appointments – The following information is provided regarding appointments:
 1. NRRA Recycling Committee – Jean Anderson has advised she will be unable to accept the Board's invitation. Therefore, as directed by the Board, staff will request someone from the Clean Community Council consider serving.
 2. NR Highlands Resource Conservation Council – Mr. Malcolm Booth has been invited to serve. As of the time of preparation of this packet, staff had not received a response from Mr. Booth.
 3. New River/Mount Rogers Private Industrial Council Youth Nomination – Anthony Akers is requesting a nomination from Social Services. Any information will be provided in the weekly update.
 4. Social Services Board – The term of Sybil Atkinson will expire on August 31, 2004. She is not eligible for reappointment due to having served two consecutive terms. Therefore, appointment of an individual to fill this vacancy is requested.

July 19, 2994

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Approval of Minutes of June 28 2004 - See ***enclosed*** minutes.
- b. Accounts Payable – Approval of the ***enclosed*** listing of accounts payable is requested.
- c. Appropriations & Interoffice Transfers – Approval is requested of the ***enclosed*** interoffice transfer #1 in the amount of \$49,350.01 and appropriations listed as follows:
Appropriations & Transfers:
 - General Fund - #17- FY 04 - \$173,981.50
 - School Fund #28 - FY 04 - \$91,147.00
 - Internal Service Fund #2 – FY 04 - \$59,092.00
 - Capital Improvements Fund #3 – FY 04 - \$8,263.00
 - Governor's School Fund #2 – FY 04 - \$13,552.00
 - Transfer of Funds #4 General Fund \$-0-
- d. Ratification - Elevation Equipment Inspection Service, LLC Agreement – In order to ensure proper inspection of elevators in the County Administration and two courthouse buildings, the ***enclosed*** agreement for inspection services has been signed by staff. Approval of this agreement is requested.
- e. Contracts, Change Orders & Agreements - There is no information to provide at this time.
- f. Personnel Changes - ***Enclosed*** is an update from Ms. Burchett regarding recent personnel changes.
- g. 2005 Legislative Items – ***Enclosed*** is a draft legislative agenda for consideration by the Board. Tentative adoption is recommended as a way of being able to present legislators with a listing of local issues while giving the Board the option of including additional items in the future following various VACO meetings this fall.

- h. Highland Park Sewer Rural Development Agreements – Adoption of the following ***enclosed*** documents is recommended in the acceptance of Rural Development funding and operation of the proposed system:
1. Loan resolution borrowing \$1.1876 million at 4.5% payable over 40 years with deferment of principal for the first two years;
 2. Agreement with the Public Service Authority for the implementation of this project and the operation of the system; and
 3. Resolution agreeing to loan conditions and authorizing signature of required documents.
- i. New River Valley Citizens Corp and Community Emergency Response Team Participation – Agreement by the Board to participation in these regional efforts is recommended. No local funding is required at this time other than use of staff time in organizational efforts.

/gh

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July 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:

- Joint Conservation Easement - I have been contacted by the New River Land Trust regarding the potential for jointly obtaining a Conservation easement on the 300-acre Ingles Farm located along the New River just down stream of The I-81 Bridge. I plan to have photos of the property and a recommendation at the meeting. However, at this time, I have not been able to find sufficient justification for financial involvement by the county in the purchase of the easement. Conservation easements permanently prevent the future development of property. Thus, the public benefit would be the preservation of a historic site. The institution of local historic property designation would of similar benefit.

Personnel

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

- Animal Shelter Staffing – The Sheriff is responding to the ***enclosed*** allegations of misconduct by the department supervisor as reported by his three staff members. Sheriff Davis returned the supervisor to road deputy work during the investigation. Nancy Burchett has confirmed that no money is missing. The Sheriff had previously scheduled vacation the week of the Board meeting but plans to attend the Closed Session portion of the August Board meeting in order to provide Board members with a report on the situation.
- Legal Services Contract - ***Enclosed*** is a revised contract for legal services. While the contract itself is not changing, Mr. McCarthy has proposed an increase in hourly fees from \$90 per hour to \$125 per hour. The fee has been at \$90 per hour for the past eight years and is now the lowest charged to Gilmer Sadler clients. The increased charge is inline with legal services charges paid by other localities for contracted legal services. I recommend Board consideration to making whatever rate is agreed to applicable to services provided as of July 1, 2004.
- Joint Services Staffing – I would like to discuss compensation adjustments for Nancy Burchett and perhaps others after assembling a listing of pay rates for various departments heads currently or potentially involved in joint services operations with the School Board or other localities. I plan to include that listing in the weekly update for your consideration. I also plan to update the Board on the status of discussions Dr. Stowers and I have been having regarding who employees would ultimately be accountable to under a joint services structure.

Prospective Industry

- NRV Truck Plant Suppliers – Dave Tickner and I plan to update the Board regarding recent interest from TMAC, Volvo Logistics and Findlay Industries in expanding either in parts of the Bob White or Shell buildings.

Legal Matters

- Intergovernmental Agreements – Tom McCarthy and I would like to update you regarding our meeting with Mr. Cranwell regarding water issues with the City of Radford. Mr. Cranwell suggested that the City of Radford Water Treatment Plant be regionalized such that the county Public Service Authority would purchase some of the capacity of the City of Radford Water Treatment Plant. The PSA could then use that capacity to supply the eastern portion of the county, as well as the Commerce Park, if needed. If his schedule allows, I hope to discuss this option with Tony Cox sometime this week in order to provide the Board with the benefit of his reaction to this approach. Mr.

Cranwell indicates that this approach removes water supply issues from being a negative factor to the county should there be an annexation attempt.

In addition, I have received an inquiry from Mayor Wade asking for the assistance of the county in upgrading Route 99 as the primary entrance to the Town of Pulaski, as well as the joint collection of real estate taxes. My thoughts at this point regarding the Route 99 issue include entering into an agreement with the Town of Pulaski in which development costs and resulting tax revenues could be shared for new development which may result. This would provide the town with a financially sound means of investing in streetlights, entrance signs and other improvements without annexing the property or otherwise affecting county residents.

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 July 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:

- ◆ Joint Conservation Easement

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
- ◆ Animal Shelter Staffing
- ◆ Legal Services Contract
- ◆ Joint Services Staffing

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.

- ◆ NRV Truck Plant Suppliers

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:

- ◆ Intergovernmental Agreements

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____