

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Mon., Jan. 23, 2005
7:00 p.m.**

FOLLOW-UP ACTION

ACTION NEEDED	KEY STAFF
1. <u>Invocation</u>	
2. <u>Featured Employees - Refuse and Garage Departments</u> (Recognized Ronnie Ryan of Refuse Department, and Don Cressell of County Maintenance to be Featured Employees for month of February 2006)	
3. <u>Additions to Agenda</u> (Request for legal counsel consultation re: adult uses; request from Registrar re: county's position on paper trail ballots; and confirmation of Lowes opening date)	
4. <u>Public Hearings:</u>	
a. <u>Community Development Block Grant Funding</u> (Public hearing held – Schedule second public hearing for any proposed projects)	<i>Ms. Safewright</i>
b. <u>A rezoning request from Residential (R1) or Residential (R3) to Agricultural (A1) by the following individuals referenced by tax map number and acreage for properties located along Shelburne Rd. (Rt. 690) and Merry Point Road, a private road, Ingles District. General uses proposed are single-family residences and farm uses at a proposed density of no greater than one dwelling per 30,000 square feet. The properties are designated as either Residential or Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan. The lot designated with an "*" is the lot currently zoned Residential (R3), otherwise other lots are zoned Residential (R1).</u> (Approved as recommended by Planning Commission – Notify applicant)	<i>Ms. Taylor</i>

- c. A request for Special Use Permit (SUP) by **GAD L L C** to allow a sign setback variance for **Arby's Restaurant** on property identified as tax map no. 056-002-001A-0001 (1.210 acres), zoned Commercial (CM1), located on the southwest corner of Woodlyn St (Rt. 1028) and Cleburne Blvd. (Rt. 100), Draper District.
(Tabled to February meeting to allow Planning Commission approval of the site plan prior to the consideration of the variance request – Place on February Planning Commission and Board of Supervisor agendas)

Ms. Taylor/Ms. Hanks

- d. A request by **Verizon Wireless** for consideration of a Special Use Permit (SUP) to allow construction of 150' communications tower on property owned by **Hort Viscoe Holdings L L C**, identified as tax map no. 040-001-0000-0002, (88.5650 acres), zoned Industrial (I1), located at 6540 Viscoe Rd., (Route 679), Cloyd District.
(Approved as recommended by Planning Commission – Notify applicant)

Ms. Taylor

- e. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:
- Amendments to Article 1, **Definitions Use and Design Standards**, defining various adult uses including but not limited to: adult book stores, adult video stores, adult businesses, adult entertainment, adult merchandise, adult motels, adult movie theatres, adult stores, specific anatomical areas, and specified sexual activities;
 - Amendments to Article 4 of the Pulaski County Zoning Ordinance, **Commercial (CM1) Zoning District**, allowing adult book stores, adult video stores, adult businesses, adult entertainment, adult merchandise sales, adult motels, adult movie theatres, adult stores as either uses by-right or by Special Use Permit in the Commercial (CM1) Zoning District.

(Deferred to Close Session for legal consultation)

(Approved text amendments, following review of community impact, with addition of "Preamble to Adult Business Ordinance" – Amend zoning ordinance)

Ms. Taylor

- f. The Board will consider making amendments to its two Enterprise Zones, the Pulaski County Enterprise Zone, Zone Number 25, and the New River Enterprise Zone, Zone Number 40. The Board will consider within the Pulaski County Enterprise Zone two boundary additions: an extension of the zone to the Town of Pulaski Industrial Park and the Bob White Building, off Bob White Boulevard (Rt. 611), and other properties in proximity; and a noncontiguous zone to include properties near the intersection of Bob White Boulevard and Route 99, and along Route 99 to the Town Limits and possibly Interstate 81, Exit 94. Both of these boundary additions will include property within the Pulaski Town Limits. The Board will also consider a boundary deletion and boundary addition for the New River Enterprise Zone to eliminate some residential areas off Viscoe Road (Rt. 679) and include properties in the Fairlawn area in proximity to Route 11 and Route 114.

(Public hearing held to solicit comments – No public comments – Place on February Board agenda)

Ms. Hanks

- g. A boundary line adjustment between the property owned by Michael Junior Cox and the New River Sewage Pump Station lot on Falling Branch Road in the Cloyd Magisterial District, and the acquisition of an easement as part of the above transaction

(Approved boundary line adjustment – Confirm documents are in order – Execute documents, pending confirmation from county attorney)

Mr. McCarthy

Mr. Huber/Ms. Jenkins

5. Highway Matters:

a. Follow-up from Previous Board meeting:

- Review of Highway Matters Section of KAT
(Mr. Clarke provided a review of items updated at December 19 Board meeting including Dallas Freeman Road, Caseknife Road, Rt. 11 Chevrons and Church Hill Lane)

(Mr. Sheffey requested Mr. Clarke contact him re: specifics on a request for guardrail on Church Hill Lane)

Mr. Clarke

b. Resolution Adding Fairway Drive to Secondary Road System

(Approved – Transmit to VDOT)

Ms. Hanks

c. Transportation Projects

(Approved the following proposed projects: reducing congestion on Rt. 114 in Fairlawn area; coming off I-81/Rt. 100/Alexander Road interchange, including Dublin Town Center area; and Exit 101 interchange with Rt. 660 – Advise Planning District Commission)

Mr. Huber

d. Paving in Subdivisions

(VDOT approved delaying paving Highland Park for one year and open cut for road crossings)

Mr. Coake

e. Request for Guardrail – Ingles District

(Presented request for guardrail on Rt. 693, Farris Mines Road)

Mr. Clarke

f. I-81 Corridor Improvement Study Draft Environmental Impact Statement

(Request additional information regarding the conclusion that “toll diversions to Rt. 11 is a serious concern” - Supported rail improvements and no, or low, toll road improvements (addition of one or two lanes)

Mr. Huber

g. Citizen Concerns

(None)

h. Board of Supervisors Concerns

(Mr. Pratt requested gravel on Worrell Road – Place on KAT for update)

Mr. Clarke
Ms. Hanks

(Mr. Akers requested VDOT review the 40 mph sign blocking view on east bound Rt. 114)

Mr. Clarke

(Mr. Akers requested guardrail the entire length of Hazel Hollow Road – Place update on KAT)

Mr. Clarke
Ms. Hanks

(Mr. Akers advised gravel roads in Snowville and Hiwassee need attention as they are getting washboard affect from rains – Place update on KAT)

Mr. Clarke
Ms. Hanks

(Mr. Conner requested an update on PCHS turn lane – Mr. Clarke advised of plans to talk with PCHS principal)

(Mr. Conner advised the bridge on Little Creek withstood the recent flooding)

(Mr. Sheffey advised the surface on the New River Road Bridge across the railroad tract is peeling up – VDOT to review – Place update on KAT)

Mr. Clarke
Ms. Hanks

6. Treasurer's Report

(Reported – Board approved publicizing 2003 delinquent taxes)

Ms. Tickle

7. Citizens' Comments

(Mr. Huber presented written comments from E. W. Harless requesting a full time junk car and litter control officer, as well as strengthening the county's property maintenance standards)

8. Reports from the County Administrator & Staff:

a. Key Activity Timetable

(Mr. Akers questioned the length of time being taken on the raw water pump station, the stilling wall design, and the coordination of PSA garbage billing with property records and GIS – Staff to provide update in future weekly update)

Mr. Coake/
Mr. Huber

(Mr. Sheffey requested an explanation re: the Fairview Home roofing which was provided)

b. Appointments:

1. Zoning Appeals Board Alternate
(Shawn Utt to be nominated to Circuit Court to fill "alternate" position left vacant due to passing of Charles DeHart)

Mr. McCarthy

2. Workforce Investment Board
(Request Dan Grubb consider appointment, with Lynn White as a second contact and Marcus Thompson as a third contact – Place appointment on February Board agenda)

Ms. Hanks

3. Building Space Needs Committee
(Invite Sybil Atkinson to serve – If unable to serve, invite Rev. Terrie Sternberg)

Ms. Safewright

c. Carroll Wellness Center Pictures
(Presented slide show of recent visit by county staff and Supervisor Hale to Carroll Wellness Center)

d. Budget Goals
(Presented & solicited comments)

e. Cable TV Legislation
(Concurred with staff recommendation to send letters to federal and state representatives urging maintenance of current standards in the consideration of any changes to state or federal franchise law)

Mr. Huber

9. Items of Consent:

a. Approval of Minutes of December 19, 2005
(Approved)

Ms. Hanks

b. Accounts Payable
(Approved)

Ms. Spence

c. Interoffice Transfers & Appropriations
(Approved)

Ms. Burchett

- d. Ratification
(None)
- e. Contracts, Change Orders & Agreements
 - Agreement with Radford University for Internship
(Ratified)
- f. Personnel Changes
(Reviewed)
- g. Joint Application with Wythe County for Virginia Opportunity Region Grant
(Ratified joint application with Wythe County for a \$5,000 Virginia Opportunity Region grant) ***Mr. Tickner***
- h. HOME Consortium of New River Valley Formation
(Approved support of formation of HOME Consortium – Notify appropriate representatives) ***Ms. Hanks***
- i. Resolution Honoring Joel Sayers as Spokesman for the U.S. Coast Guard
(Endorsed letter of commendation – Prepare letter) ***Mr. Huber***
- j. Use of Fire Department Funding
(Approved request to use capital funds for building improvements to be included in the building maintenance budget) ***Mr. Richardson***
- k. Hiwassee Fire Department Loan
(Approved all acts necessary to undertake project while budgeting prepayment of this loan over the next three to five years, since there is no prepayment penalty) ***Ms. Burchett/Mr. Huber***
Mr. Richardson
- l. Fire Protection Funding Guideline
(Approved total fire department budget based on the increase in real estate tax values to be used for both capital, repairs and operating costs, which would establish a relationship between the funding of protection services in the value of properties being protected) ***Ms. Burchett/Mr. Huber***
Mr. Richardson

- m. Voting Machine Legislation
(Approved sending correspondence to legislators opposing paper ballot trail)

Mr. Huber

- 10. Citizen Comments
(Mr. Allen Meek advocated the expenditure of funds needed for the paper ballot confirmation)
- 11. Other Matters from Supervisors
(None)
- 12. Closed Meeting – 2.2-3711.A.1.3.5.7
- 13. Adjournment

January 17, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Recognitions

Featured Employees – Refuse and Garage Departments - The employees to be recognized at the January Board meeting and featured for the month of February 2006 will be designated from the Refuse and Garage Departments. The employees to be recognized are Ronnie Ryan from the Refuse Department and Don Cressell from the County Maintenance facility. ***Enclosed*** is a brief description for both employees.

/gh

January 17, 2006

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

Public hearings have been scheduled to consider the following:

- a. Community Development Block Grant Funding- A public hearing has been scheduled to solicit public input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for projects in our community. This general solicitation is required in order for localities to be eligible for any CDBG funding. A second hearing is also required for any specific project for which funding is requested.

- b. A rezoning request from Residential (R1) or Residential (R3) to Agricultural (A1) by the following individuals referenced by tax map number and acreage for properties located along Shelburne Rd. (Rt. 690) and Merry Point Road, a private road, Ingles District. General uses proposed are single-family residences and farm uses at a proposed density of no greater than one dwelling per 30,000 square feet. The properties are designated as either Residential or Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan. The lot designated with an "*" is the lot currently zoned Residential (R3), otherwise other lots are zoned Residential (R1).

Property Owner	Tax Map No.	Acreage
Beckner, Robert G.	076-015-0000-0005	3.2380
Dalton, C. R.	076-022-0000-0001; 076-001-0000-077A	32.00
Lancaster, Elizabeth C.	076-001-0000-0052	4.0100
Lancaster, John F. & Ruth S.	076-001-0000-0076; 076-001-0000-076A*	20.62
Lancaster, Lowell L.	076-001-0000-0054	30.4500
O'Dell, Debra S. & Barry Lee	068-001-0000-0012	1.2100

Saunders, Todd A. & Rhonda B.	068-001-0000-0053	6.0000
Shelburne, James G. & Debra	067-001-0000-0062; 068-001-0000-0013; 067-001-0000-0072	126.4900
Wade, Brian G. & Sherry S.	068-001-0000-0051	4.4600

A public hearing has been scheduled to consider a rezoning request as described on the **enclosed** request. The Planning Commission recommends approval.

- c. A request for Special Use Permit (SUP) by **GAD L L C** to allow a sign setback variance for **Arby's Restaurant** on property identified as tax map no. 056-002-001A-0001 (1.210 acres), zoned Commercial (CM1), located on the southwest corner of Woodlyn St (Rt. 1028) and Cleburne Blvd. (Rt. 100), Draper District - A public hearing has been scheduled to consider a special use permit as described on the **enclosed** request. The Planning Commission recommends of the Special Use Permit (SUP) to allow a sign setback variance.
- d. A request by **Verizon Wireless** for consideration of a Special Use Permit (SUP) to allow construction of 150' communications tower on property owned by **Hort Viscoe Holdings L L C**, identified as tax map no. 040-001-0000-0002, (88.5650 acres), zoned Industrial (I1), located at 6540 Viscoe Rd., (Route 679), Cloyd District - A public hearing has been scheduled to consider a special use permit as described on the **enclosed** request. The Planning Commission recommends approval of the Special Use Permit (SUP) to allow construction of the proposed 150' communications tower.
- e. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:
- Amendments to Article 1, **Definitions Use and Design Standards**, defining various adult uses including but not limited to: adult book stores, adult video stores, adult businesses, adult entertainment, adult merchandise, adult motels, adult movie theatres, adult stores, specific anatomical areas, and specified sexual activities;
 - Amendments to Article 4 of the Pulaski County Zoning Ordinance, **Commercial (CM1) Zoning District**, allowing adult book stores, adult video stores, adult businesses, adult entertainment, adult merchandise sales, adult motels, adult movie theatres, adult stores as either uses by-right or by Special Use Permit in the Commercial (CM1) Zoning District.

A public hearing has been scheduled to consider adoption of the **enclosed** zoning text amendments. The Planning Commission recommends text amendment changes by Special Use Permit (SUP) only.

f. Enterprise Zone Amendments – Mr. Tickner has developed amendments to the two Pulaski County Enterprise Zones: the Pulaski County Enterprise Zone (Zone Number 25), and the New River Enterprise Zone (Zone Number 40). Consideration of three boundary additions is being requested as shown on the enclosed maps:

1. An extension of the zone to the Town of Pulaski Industrial Park and the Bob White Building, off Bob White Boulevard (Rt. 611), and other properties in proximity;
2. A noncontiguous zone to include properties near the intersection of Bob White Boulevard and Route 99, and along Route 99 to the Town Limits and possibly Interstate 81, Exit 94.

Both of these first two boundary additions will include property within the Pulaski Town Limits.

3. Consideration is also being requested to a boundary deletion and boundary addition for the New River Enterprise Zone to eliminate some residential areas off Viscoe Road (Rt. 679) and include properties in the Fairlawn area in proximity to Route 11 and Route 114.

g. A property line adjustment between the property owned by Michael Junior Cox and the New River Sewage Pump Station lot on Falling Branch Road in the Cloyd Magisterial District, and the acquisition of an easement as part of the above transaction - A public hearing has been scheduled to consider a property line adjustment as described on the enclosed public hearing notice. Also enclosed is detailed information describing this matter further.

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January 17, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

- a. Follow-up from Previous Board meeting:
 - Review of Highway Matters Section of Key Activity Timetable (KAT) – We are awaiting an update from Mr. Clarke on the status of VDOT road matters previously discussed by the Board on the Highway Matters section from the Key Activity Timetable. The timetable will be enclosed in the weekly update if received in time.
- b. Resolution Adding Fairway Drive to Secondary Road System- Approval of the ***enclosed*** resolution submitted by VDOT adding Fairway Drive to the secondary road system is requested.
- c. Transportation Projects - The Planning District Commission is asking about any transportation projects they might be able to study in the upcoming year. We are suggesting that they study transportation alternatives for the Fairlawn area with the goal of reducing congestion on Route 114 and improving overall access to the commercial areas. Ron Coake and I would appreciate any additional suggestions Board members may have.

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January 17, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Reports from County Administrator and Staff

- a. Key Activity Timetable (KAT) – ***Enclosed*** is a copy of the Key Activity Timetable.
- b. Appointments – Board of Zoning Appeals Board - A vacancy exists for an “alternate” position, due to the death of Charles Dehart.

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January 17, 2006

TO: Board of Supervisors
FROM: Peter M. Huber, County Administrator
SUBJECT: Items of Consent

- a. Approval of Minutes of December 19, 2005 – Approval of the ***enclosed*** minutes is recommended.
- b. Accounts Payable – Approval of the ***enclosed*** listing of accounts payable is requested.
- c. Interoffice Transfers & Appropriations – Copies of the interoffice transfers and appropriations will be provided in the weekly update.
- d. Ratification – There are no items at this time.
- e. Contracts, Change Orders & Agreements - Agreement with Radford University for Internship – Ratification of the ***enclosed*** agreement between Radford University and Pulaski County for the internship being provided by Bryon Cox is requested.
- f. Personnel Changes – ***Enclosed*** is an update from Ms. Burchett of recent personnel changes.
- g. Joint Application with Wythe County for Virginia Opportunity Region Grant - We were asked on Wednesday, December 28, if we would be interested in jointly submitting an application with Wythe County for a \$5,000 Virginia Opportunity Region grant having a deadline of the same day. Dave Tickner worked with Alan Hawthorne to get the grant submitted in time, with plans to use these funds to improve the economic development content in the web sites for both Wythe and Pulaski counties.

- h. HOME Consortium of New River Valley Formation - ***Enclosed*** is correspondence from New River Community Action Executive Director Terri Smusz and from Housing Partnership of the New River Valley of Virginia President, Glenda Vest requesting the Board support the formation of a HOME Consortium for the New River Valley. Approval to the formation of the proposed Consortium is recommended.
- i. Resolution Honoring Joel Sayers as Spokesman for the U.S. Coast Guard - I received a call from Gail Long suggesting the Board of Supervisors commend Joel Sayers for doing an excellent job in representing Pulaski County as a spokesman for the U.S. Coast Guard. Endorsement of a letter of commendation is recommended.
- j. Use of Fire Department Funding – The Draper Fire Department is requesting consideration to the use of capital improvements funds for building improvements, as well as the purchase of a fire truck. The Department needs to expand their building, install new bay doors and make repairs to the insulation of their existing building. The request has been approved by the Fire Protection Committee. I recommend approval to the request to use capital funds for building construction with consideration of the building improvements to be included in the building maintenance budget as further described in item m.
- k. Hiwassee Fire Department Loan – Rural Development has offered a \$50,000 grant for the expansion of the Hiwassee Fire Department. This grant offer is tied to a loan commitment of \$352,000 and \$45,500 in REMSI funding all of which must be spent prior to being able to access grant funds. Normally, in order to avoid encumbering future budgets, I would not normally recommend borrowing funds for smaller projects such as this and will be sure that any future Rural Development funding requests are structured so as not to involve loan requirements. However, the proposed loan may be helpful to the Board in that it can reduce the cost of this project to as little as \$20,000 per year if the financing goes for its full 40 year term. I recommend approval of all acts necessary to undertake this project while budgeting prepayment of this loan over the next three to five years since there is no prepayment penalty.
- l. Fire Protection Funding Guideline – In conjunction with the above two items, I would like to suggest consideration to a general total fire department budget based on the increase in real estate tax values to be used for both capital, repairs and operating costs. This would establish a relationship between the funding of protective services to the value of properties being protected.

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January 17, 2006

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 – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Industrial Park Land - **Enclosed** is correspondence from The Technology Law Offices of Virginia regarding land in the industrial park. Also **enclosed** is an e-mail from David Diesel requesting consideration to zoning changes on this property. Tom McCarthy recommends that any action by the IDA releasing these deed restrictions be accompanied by a waiver of any claims arising from the transaction at any time by the IDA or the County.

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 - Board of Zoning Appeals – A vacancy exists for an “alternate” position, due to the death of Charles Dehart.

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.

- None

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:

- Legal Advice on a Land Use Issue – ***Enclosed*** is a description of a windmill generator being considered for installation at the New River Valley Truck Plant. Given the recent divisive issues surrounding wind generation in Highland County, I thought it would be helpful to bring consideration of the issue to legal counsel. Volvo employees have described this unit as experimental with a 300-foot tower to be considered depending on the success of the 100-foot model described. From an administrative standpoint, the decision regarding wind generation comes down to the extent to which the community would support the ongoing viability of local manufacturing plants in the face of increasing energy costs.

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 January 23, 2006 Board of Supervisors meeting:

It was moved by _____, seconded by _____ and carried, that the Board of Supervisors enter closed session for discussion of the following:

Property Disposition or Acquisition – Pursuant to Virginia Code Section 2.2-3711(A)3 discussion for consideration of the disposition or acquisition of publicly held property regarding:

- Industrial Park Land

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.

- None

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:

- Legal Advice on Land Use Issue

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____