

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Mon., March 27, 2006
7:00 p.m.**

FOLLOW-UP AGENDA

ACTION	KEY STAFF
1. <u>Invocation</u>	
2. <u>Presentation of Resolutions:</u> a. <u>Nathaniel Tuck Memorial Resolution</u> (Presented to family) b. <u>Jim Neblett Memorial Resolution</u> (Adopted – Presented to family) c. <u>Sheriff's Department Resolution</u> (Adopted – Presented to Sheriff)	
3. <u>Featured Employees – Social Services</u> (Recognized Pam Davis and Keith Thomas as the Featured Employees for the month of April)	
4. <u>Additions to Agenda</u> (None)	
5. <u>Public Hearings:</u> a. <u>A rezoning request by Francis H. Farmer from Residential (R1) to Agricultural (A1) on property identified as tax map no. 092-001-0000-020F, located at 2819 Lowmans Ferry Rd. (Rt. 672), (51.5410 acres), Draper 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 Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan.</u> (Approved, as recommended by Planning Commission – Notify applicant)	Ms. Taylor

- b. A request for Special Use Permit (SUP) by **Donald L. and Faye M. Branscome** for an exception to limitations on a private dock facility allowed by Article 8-8, on property identified as tax map no. 066-028-0000-0004, (1.8690 acres), zoned Residential (R-1), located at 4812 Cedar Point Ln., (private road), Ingles District.
(Approved, as recommended by Planning Commission – Notify applicant) Ms. Taylor
- c. A request to update a Special Use Permit (SUP) by **New River Resource Authority** to operate a sanitary landfill on property identified as tax map nos. 010-001-0000-0004, 010-001-0000-0005, 011-001-0000-0001, (951.384 total acres), zoned Agricultural (A1), with the Landfill Overlay District (LD1), located at 7100 Cloyd's Mountain Rd., (Rt. 731), Cloyd District.
(Approved, as recommended by Planning Commission – Notify applicant) Ms. Taylor
- d. A request for Special Use Permit to allow dwelling, commercial apartments per Section 4-3 of the Zoning Ordinance on property owned by **Mark D. Kinser** identified as tax parcel 029-001-0000-033A, zoned Commercial (CM1), and property owned by **Charles E and Agnes D Smith**, identified as tax parcel 029-001-0000-0019, and 029-001-0000-0020 zoned Commercial (CM1), located on the south side of Peppers Ferry Blvd. (Rt. 114) at the western intersection of Old Peppers Ferry Loop (Rt. 695), and 7479 Peppers Ferry Blvd. (Rt. 114), and 7469 Peppers Ferry Blvd. (Rt. 114), respectively, Cloyd District.
(Approved as recommended by Planning Commission – Notify applicant) Ms. Taylor

e. 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.
(Adopted resolution authorizing submittal of application for zone boundary adjustments – Send to VDH&CD – Modify listing of zone properties)

Mr. Tickner

f. To consider a proposed long-term lease of a portion of DeHaven Park by the Coast Guard Auxiliary in return for community use pursuant to Sections 15.2-1800, et. Seq. of the Code of Virginia, 1950, as amended.
(Tabled until Board can view proposed site – Schedule a visit by Board members to view site)

Ms. Safewright

g. Consideration of an Ordinance establishing a Junior Volunteer Firefighter Program.
(Adopted ordinance – Notify county fire departments and any other agencies, as appropriate)

Mr. Richardson

6. Highway Matters:

a. Follow-up from Previous Board meeting:
▪ Review of Highway Matters Section of KAT
(Reviewed)

Mr. Clarke (unless advised otherwise)

(Supervisor Akers discussed the progress on Cole Mountain Road)

(Supervisor Pratt noted the gravel and/or grading was needed on Worrell Road – VDOT to review)

b. Recreational Access Road

(Mr. Huber & Mr. Clarke explained the funding for recreational access roads was separate from the six-year plan and this request was part of a master plan for the New River Trail to provide additional access for the public – Board approved)

c. Citizen Concerns

(Robby Stoots requested Supervisor Sheffey and Mr. Clarke review Church Hill Lane again, due to ditches having been cleaned out and potential for qualifying, due to widening of road)

(Wesley Scott expressed concern over truck traffic through Newbern, as well as the need for a “Yield” sign on Rt. 100 going onto I-81 north – Place on KAT)

Ms. Hanks

(Jack Martin concurred with the prior request for gravel on Worrell Road)

(Mr. Clarke reminded the Board of the I81 public hearings to be held on April 11 in Roanoke and at the Wythe Community College between 5:00 p.m. & 8:00 p.m.)

(Mr. Huber advised he attended a meeting recently at which Governor Kaine spoke to the I81 issue and noted his desire to address those particular areas needed for additional lanes, resulting in not having as large an expense as initially indicated)

(Mr. Huber provided an update on the current discussions between the House and Senate re: transportation)

d. Board of Supervisors Concerns

(Supervisor Pratt advised of a pine tree needing to be cut down on Old Baltimore Road as it intersects with Honaker Road, as well as brush removal – VDOT to review – Add to KAT)

Ms. Hanks

(Supervisors Akers advised of a request for 25 mph signage on Holly Drive, as well as Watch for Children signage – Board approved VDOT installing Watch for Children signage – Add sign & speed limit request to KAT)

Ms. Hanks

(Supervisor Akers requested improved marking on the left turn lane coming from Radford onto Hazel Hollow Road – VDOT to review – Update KAT to include left turn lane request)

(Supervisor Conner requested VDOT review area where utility pole sits on Rt. 11 at old Round House coming from Pulaski as citizens turn off of Rt. 11 to Lowes – VDOT to review)

(Supervisor Conner requested an additional intersection sign be added to Hatcher Road, coming from Pulaski, where road intersects with Moses Drive – VDOT to review - Place on KAT)

Ms. Hanks

(Supervisor Sheffey advised of the breaking apart of the road leading to the landfill – VDOT to review – Place on KAT)

Ms. Hanks

(Supervisor Sheffey requested replacement of rumble strips on Hazel Hollow Road going under bridge to encourage citizens to reduce speed on road - VDOT to review – Place update on KAT)

Ms. Hanks

7. Treasurer's Report
(Updated)

8. Citizens' Comments

(Wesley Scott expressed opposition to the application by the Wilderness Inn to the ABC Board for a beer and wine license – Board advised it had no controls over licensing of beer & wine and concerns should be addressed to ABC Board)

9. Audit Presentation

(Presented and noted county in good standing – Auditor commended county staff for assistance in meeting strict requirements and noted Pulaski County had some of the best bookkeeping practices in Southwest Virginia – Treasurer Tickle commended Robinson, Farmer, Cox Associates for their efforts during the audit process – Board accepted audit and noted the audit would be obtained by going to the county's web page)

10. Reports from the County Administrator & Staff:

a. Key Activity Timetable

(Reviewed and update target dates)

b. Appointments - New River Community College

(Reappointed Jeanne Whitman – Notify NRCC)

Ms. Hanks

c. Revision to Budget Process

(Mr. Huber presented budget calendar as previously proposed, with revision to allow for postponement of a formal presentation until the state budget is agreed to – Board authorized sending draft budget to agencies to allow for agencies to comment at April 17 budget work session)

Ms. Burchett/
Ms. Hanks

d. Setting of 2007 Calendar Year Real Estate Tax Rate

(Set rate at 62 cents, which is unchanged from current rate)

(Commissioner of Revenue Jack Gill presented preliminary personal property tax figures – Described need to adjust state reimbursement percentages annually on a county by county basis)

11. Items of Consent:

- a. Approval of Minutes of February 27, 2006
(Approved) Ms. Hanks
- b. Accounts Payable
(Approved) Ms. Spence
- c. Interoffice Transfers & Appropriations
(Approved) Ms. Burchett
- d. Contracts, Change Orders & Agreements
 - 1. Cost Allocation Agreement
(Ratified) Ms. Burchett
 - 2. Polyester Park Utility Improvements Change Order #2
(Ratified) Mr. Coake
- e. Personnel Changes
(Reviewed)
- f. Authorization to Apply for Bulletproof Vest Partnership Program Funds
(Authorized Sheriff to apply, should this department find the program to be helpful) Sheriff Davis
- g. Fireworks Permits – Claytor Lake Festival and July 4th Festivities
(Approved – Notify Festival Committee) Ms. Hanks
- h. National County Government Week
(Approved)
- i. National Library Week 2006 Proclamation
(Adopted proclamation)
- j. Artist Promotional Program Policy
(Approved policy allowing the display of art work in county buildings as a way of supporting local artists while enhancing public buildings – Notify local artists as identified by Judy Ison) Ms. Hanks
- k. Resolution for Special Election – Clerk’s Office
(Approved) Mr. McCarthy

I. Health Insurance Plans

(Approved passing on the 4% cost reduction to the employees through reduced premium costs and offering a free health screening/wellness program using matching funds provided by Southern Health, excess dental self insurance premiums and approximately \$2,000 in county funds needed to underwrite the remaining \$42 cost per employee – Approved continuing the three existing health insurance plan options for employees next year)

Ms. Burchett

m. Support of VACO's Transportation Funding Policy Statement

(Approved communicating with legislators urging the Governor and General Assembly to provide additional funds for six-year secondary roads in Pulaski County)

Mr. Huber

12. Citizen Comments
(None)

13. Other Matters from Supervisors
(Supervisors Sheffey advised of announcement of the sale of federal land in Giles and Montgomery counties, but does not affect land in Pulaski County – Suggested support to regional consensus)

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

15. Adjournment
(To reconvene 4/5/09 for joint Board of Supervisors/
School Board meeting, 6:30 p.m., Central Conference
Room, County Administration Building)

March 20, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Presentation of Resolutions

As directed by the Board, Dr. Tuck's family has been invited to attend the Board meeting to accept the memorial resolution that was adopted by the Board at its February 27 meeting.

Also as directed by the Board, the enclosed resolutions have been prepared in memory of James Neblett and in recognition of the Sheriff's Department. These resolutions will need to be adopted by the Board at the March 27 meeting for presentation to the Neblett family and the Sheriff's Department, both of which have been invited to attend the meeting.

/gh

March 20, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Featured Employee Recognitions

Featured Employees – Social Services - The employees to be recognized at the March Board meeting and featured for the month of April 2006 will be designated from the Social Services Department. The employees to be recognized are Pamela Anne Davis and Patrick Keith Thomas. ***Enclosed*** is a brief description for both employees.

/gh

March 20, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Public Hearings

Public hearings have been scheduled to consider the following:

- a. A rezoning request by **Francis H. Farmer** from Residential (R1) to Agricultural (A1) on property identified as tax map no. 092-001-0000-020F, located at 2819 Lowmans Ferry Rd. (Rt. 672), (51.5410 acres), Draper 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 Agricultural on the Future Land Use Map of the 2000 Pulaski County Comprehensive Plan - A public hearing has been scheduled to consider a rezoning request as described on the **enclosed** request. The Planning Commission recommends approval.
- b. A request for Special Use Permit (SUP) by **Donald L. and Faye M. Branscome** for an exception to limitations on a private dock facility allowed by Article 8-8, on property identified as tax map no. 066-028-0000-0004, (1.8690 acres), zoned Residential (R-1), located at 4812 Cedar Point Ln., (private road), Ingles District - A public hearing has been scheduled to consider a request for a special use permit as described on the **enclosed** request. The Planning Commission recommends approval.
- c. A request to update a Special Use Permit (SUP) by **New River Resource Authority** to operate a sanitary landfill on property identified as tax map nos. 010-001-0000-0004, 010-001-0000-0005, 011-001-0000-0001, (951.384 total acres), zoned Agricultural (A1), with the Landfill Overlay District (LD1), located at 7100 Cloyd's Mountain Rd., (Rt. 731), Cloyd District - A public hearing has been scheduled to consider a request for a special use permit as described on the **enclosed** request. The Planning Commission recommends approval.

- d. A request for Special Use Permit to allow dwelling, commercial apartments per Section 4-3 of the Zoning Ordinance on property owned by Mark D. Kinser identified as tax parcel 029-001-0000-033A, zoned Commercial (CM1), and property owned by Charles E and Agnes D Smith, identified as tax parcel 029-001-0000-0019, and 029-001-0000-0020 zoned Commercial (CM1), located on the south side of Peppers Ferry Blvd. (Rt. 114) at the western intersection of Old Peppers Ferry Loop (Rt. 695), and 7479 Peppers Ferry Blvd. (Rt. 114), and 7469 Peppers Ferry Blvd. (Rt. 114), respectively, Cloyd District - A public hearing has been scheduled to consider a request for a special use permit as described on the **enclosed** request. The Planning Commission recommends approval.
- e. Amendment to Enterprise Zones Boundaries – Staff recommends adoption of the **enclosed** resolution modifying the two existing Virginia Enterprise Zones administered by the County:
1. Expanding the Pulaski County Enterprise Zone, Zone Number 25 to include an extension of the zone to the Town of Pulaski Industrial Park and the Bob White Building and a noncontiguous zone to include properties near the intersection of Bob White Boulevard and Route 99 and along Route 99 to the Interstate 81, Exit 94. Both of these boundary additions will include property within the Pulaski Town Limits.
 2. Modification of the New River Enterprise Zone, Zone Number 40 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 to include the Wal-Mart and former K-Mart shopping centers.
- f. To consider a proposed long-term lease of a portion of DeHaven Park by the Coast Guard Auxiliary in return for community use pursuant to Sections 15.2-1800, et. Seq. of the Code of Virginia, 1950, as amended – The purpose of this public hearing is to solicit comments regarding the use of a portion of DeHaven Park for a combined Coast Guard Auxiliary base/community center through a long-term lease of either a one-quarter or a one-third acre parcel near the entrance to the park as shown on the **enclosed** photographs with access to Claytor Lake and a five-slip pier. Further required approvals include the specific language of the lease by the Board of Supervisors, a lease from Appalachian Power Company for water access, a construction permit for the proposed pier from the Federal Energy Regulatory Commission and approval of a site plan by the Planning Commission. The Auxiliary is also exploring the possibility of including caretaker's quarters in the proposed building.
- g. Consideration of an ordinance establishing a Junior Volunteer Firefighter Program-The Board approved the **enclosed** ordinance on an emergency basis as required by the Department of Fire Prevention programs in order to continue allowing junior members to participate in training exercises. The purpose of this public hearing is to consider recommended permanent adoption of the ordinance.

March 20, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Highway Matters

- a. Follow-up from Previous Board meeting:
 1. Review of Highway Matters Section of Key Activity Timetable (KAT) – An update from Mr. Clarke on the status of VDOT road matters previously discussed by the Board on the Key Activity Timetable will be enclosed in the weekly update on March 24.
- b. Recreational Access Road - **Enclosed** is a site plan and letter from the New River State Park staff requesting Board consideration to requesting VDOT funding of a recreational access road serving a boat launching and other recreational facilities in Allisonia.

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March 20, 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 for review by the Board.
- b. Appointments - New River Community College - The term of Jeanne B. Whitman will expire on June 30, 2006. Mrs. Whitman is eligible for reappointment.
- c. Revision to Budget Process - While initially scheduled for presentation at the March 27 Board meeting, I would like to defer presentation of the recommended budget in hopes that a State budget will be adopted in the next few weeks. State expenditures account for approximately \$30 million or 47% of the total County budget; thus, minor changes in the state budget have a significant impact on local revenues. However, I plan to distribute a working draft of my proposed budget recommendations with the March 24 weekly update for possible discussion at the meeting should Board members have questions.
- d. Setting of 2005 Calendar Year Real Estate Tax Rate - In order for real estate tax billings to be mailed in a timely manner, the Board will need to set the real estate tax rate to be charged for real estate owned as of January 1, 2006. My recommendation is to adjust expenditures to fit within revenues generated by the current real estate rate in order to be able to leave the real estate tax rate unchanged at \$0.62 per \$100 of assessed value. The Board will also have to set a personal property tax rate this year due to implementation of the state cap on financial relief on car taxes.

/gh

March 20, 2006

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Items of Consent

- a. Approval of Minutes of February 27, 2006 – Approval of the ***enclosed*** minutes is recommended.
- b. Accounts Payable – Approval of the ***enclosed*** listing of accounts payable is requested.
- c. Interoffice Transfers & Appropriations – Approval of the ***enclosed*** interoffice transfers is requested. A copy of any appropriations will be included with the March 24 weekly update.
- d. Contracts, Change Orders & Agreements:
 1. Cost Allocation Agreement- Approval of the ***enclosed*** agreement is requested.
 2. Polyester Park Utility Improvements Change Order #2 - Approval of the ***enclosed*** change order number 2 in the amount of \$546.00 is requested.
- e. Personnel Changes – ***Enclosed*** is an update from Ms. Burchett of recent personnel changes.
- f. Authorization to Apply for Bulletproof Vest Partnership Program Funds – The Bulletproof Vest Partnership program administered by the U.S. Department of Justice, Office of Justice Programs Bureau of Justice Assistance (BJA) is designed to provide vests to state and local law enforcement. I would like to recommend authorization for the Sheriff to apply should his department find this program to be helpful.

- g. Fireworks Permits – Claytor Lake Festival and July 4th Festivities – Issuance of fireworks permits to the Claytor Lake Festival on June 10, 2006 and the July 4th, 2006 events are recommended.
- h. National County Government Week- Adoption of the ***enclosed*** proclamation declaring April 23-29, 2006 as National County Government Week is recommended.
- i. National Library Week 2006 Proclamation – Adoption of the ***enclosed*** proclamation declaring the week of April 2-8, 2006 as National Library Week is recommended.
- j. Artist Promotional Program Policy - Adoption of the ***enclosed*** policy allowing the display of art work in county buildings is recommended as a way of supporting local artists while enhancing public buildings.

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March 20, 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 – I have begun discussions with Pulaski Furniture regarding the potential acquisition of their remaining property next to Ethan Allen Furniture along Route 100. Pulaski Furniture legal counsel, Spencer Rygas has suggested the possible financing, construction and lease-back by the County of an import and distribution warehouse consolidating facilities currently used by the company in North Carolina. Under this scenario, the purchase of the property by the County would be incorporated into a reduction in the lease or lease/purchase rate charged by the County for the use of the proposed building by Pulaski Furniture.
- Building Space Needs – I plan to review the listing of properties offered for sale or lease as a result of the recent solicitation. While appreciative of the number and quality of the responses, the Committee asked that we

continue to accept proposals and I plan to reopen the process through an advertisement a letter to the Southwest Times.

- Fairlawn School – The School Board has entered into an option agreement for a new elementary school in Fairlawn as included in the March 17 weekly update. I would appreciate any comments regarding this transaction. In addition to the \$500,000 purchase price, Don Stowers estimates engineering and architectural costs to be approximately \$600,000.
- DeHaven Park – I would like to ask the Board for direction regarding the use of a portion of DeHaven Park for hosting a Coast Guard Auxiliary facility.

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

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.

- Log Home Manufacturer – Mr. Tickner and I plan to provide the Board with an update regarding the interest of this company in establishing a local worksite for cutting and fitting log homes.
- Existing Industry Financing – Magnox is asking that the Board and IDA consider converting the existing loan guarantee to a loan as part of their efforts to provide financial stability to the company.

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:

- Magnox Refinancing – ***Enclosed*** is a memo from Magnox providing an update on their efforts to refinance existing debt as well as financial statements provided by the company. These items have also been provided to the chairman of the Industrial Development Authority.

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 March 27, 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
- Building Space Needs
- Fairlawn School
- DeHaven Park

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.

- Log Home Manufacturer
- Existing Industry Financing

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:

- Magnox Refinancing

Voting yes: _____

Voting no: _____

Abstaining: _____

Not present: _____