

- Citizens comments are included on each regular monthly meeting agenda. No prior appointment is necessary to speak during the citizen comments times.
- To speak on a particular agenda item, advise the attendant at the door.
- To place an item on the Board's agenda, please notify the County Administrator's Office at least ten days prior to the Board meeting.
- Any citizen concern can be communicated to the County Administrator by calling 980-7705 from 7:30 a.m. to 5:00 p.m. weekdays. All citizen complaints are recorded and responded to as soon as possible.

WHEN SPEAKING BEFORE THE BOARD, PLEASE COME TO THE PODIUM AND GIVE YOUR NAME.

**BOARD AGENDA
PULASKI COUNTY
BOARD OF SUPERVISORS**

**Regular Meeting
Monday, April 26, 2010
6:00 p.m. – Closed Session
7:00 p.m. – Regular Meeting**

APPROXIMATE TIME & ITEM	PRESENTED BY
<u>6:00 p.m.</u> 1. <u>Closed Session – 2.2-3711.A.1.3.5.7</u>	
<u>7:00 p.m.</u> 2. <u>Invocation</u>	Rev. Terry Woodard
<u>7:05 p.m.</u> 3. <u>Recognitions - Featured Employees</u>	
<u>7:10 p.m.</u> 4. <u>Additions to Agenda</u>	
<u>7:15 p.m.</u> 5. <u>Public Hearings</u> <ol style="list-style-type: none"> a. <u>Petition by Marvin C Hight Jr. to rezone two parcels located at 4350 Hurston Road, (Rt. 644) from Residential (R1) to Agricultural (A1). (074-001-0000-0066, 074-001-0000-0067), (Draper District).</u> b. <u>A request from Community Christian Church to vacate approximately 180 ft. of an existing 40 ft. unimproved right-of-way joining Howery Rd. (1021) and Grace St. (Rt. 1020), in the Draper District.</u> 	

- c. A request from Thomas W. and Nina Templeton and Christa G. Hinkelman to vacate a 30 ft. unimproved right-of-way adjoining a 50 ft. unimproved right-of-way on the east side following Claytor Lake to Roy R. & Peggy W. Griffitts located in Plantation Estates Subdivision, in the Ingles District.

7:45 p.m.

6. Citizen Comments

- a. Home Consortium Presentation
- b. Changes to Animal Control Ordinance with Trap-Neuter-Return Policy
- c. June Harless

Ms. Judith Peele and Ms. Keely Johnson

8:15 p.m.

7. Highway Matters:

Mr. David Clarke

- a. Follow-up from Previous Board meeting:
 - 1. Review of Highway Matters Section of Key Activity Timetable
 - 2. Report on Potential Revenue Sharing Projects
 - 3. Cost for Improvements to the Roundhouse Road & Route 11 intersection
- b. Paving Request – Hodge Hollow Road
- c. Request for street lighting at the intersection of Route 99 and McAdam Crossing
- d. Citizen Concerns
- e. Board of Supervisors Concerns

8:30 p.m.

8. Treasurer's Report

The Honorable Melinda Worrell, Treasurer

8:35 p.m.

9. Reports from the County Administrator & Staff:

- a. Appointments:
 - 1. Building Appeals Committee
 - 2. Clean Community Council
 - 3. New River Criminal Justice Services Board
 - 4. PEP Committees
 - 5. Social Services Board
 - 6. NR Valley Planning District Commission
- b. Key Activity Timetable

8:45 p.m.

10. Items of Consent:

- a. Approval of Minutes of March 22 & 29, 2010
- b. Accounts Payable
- c. Interoffice Transfers & Appropriations
- d. Ratification and/or Approval of Contracts, Change Orders & Agreements, Etc.
 - Acceptance of SERCAP Grant
- e. Personnel Changes
- f. Fireworks Permit – Claytor Lake Festival
- g. Loving Field Improvements
- h. Endorsement of Veto of House Bills 29 and 30

9:00 p.m.

11. Citizen Comments

9:10 p.m.

12. Other Matters from Supervisors

13. Adjournment

Distribution or reproduction of this document is prohibited. This document is exempted from public access in accordance with the Virginia Freedom of Information Act.

April 19, 2010

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:

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

1. Building Appeals Committee - Mr. Mike Tilley has accepted the Board's invitation to serve as an alternate. Mr. John Goodall has not accepted the Board's invitation to serve. In addition, the terms of Tom Douthat, Thomas Holsinger and Jeff Warf will expire on June 30, 2010. All are eligible for reappointment
2. Clean Community Council - The terms of Jonie Smith and Wesley Smith will expire on May 19, 2010. Both are eligible for reappointment.
3. New River Criminal Justice Services Board – A vacancy exists on the Board. The term of Anthony Akers is set to expire on June 30, 2010. Anthony has indicated he will be unable to continue serving due to a conflict with the meeting dates and times of the Board. It is recommended the Board appoint Robert Hiss to serve on the

New River Criminal Justice Services Board based on his work with other human service agencies in reducing CSA and incarceration costs.

4. PEP Committees – ***Enclosed*** is a listing of appointments set to expire on June 30, 2010 for the various PEP committees. Reappointment of these individuals is recommended.
5. Social Services Board - Mr. Sheffey's term on the Social Services Board is set to expire on June 30, 2010. He is not eligible for reappointment.
6. New River Valley Planning District Commission - Shawn Utt's term on the PDC is set to expire on June 30, 2010. He is eligible for reappointment.

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:

- Surplus Properties – I recommend the Board of Supervisors and the School Board jointly dispose of surplus properties. County properties include the Gresham Elementary School, several lots in the Heron's Landing Development, the former REMSI building in Dublin, and the former jail in downtown Pulaski. School Board properties include the Dublin Primary School property, Draper Elementary, Newbern Elementary, and Riverlawn Elementary schools. It may be helpful to solicit proposals for the reuse of these buildings as a group in order to generate sufficient interest from larger companies specializing in the conversion of schools to apartments. We also plan to include property disposition on the agenda for discussion by the Joint Services Board. We also plan to review listings of all properties owned by the IDA, PSA, School Board, Sewage Authority and Development Corporation to determine the extent of surplus public property ownership.
- Sheriff's Office - We are continuing to work with Dr. Stephenson regarding the purchase of his building on Route 11. With a purchase price of \$750,000, he anticipates being able to take a tax credit for the remaining \$600,000 difference between the proposed sale price and the assessed value of the building and adjacent property. In addition, ***enclosed*** is a proposal for utilization of this building as the location for a joint dispatch center.
- Heron's Landing – Tom McCarthy, Shawn Utt and I would like to provide the Board with an update as to the status of the development. Steve Crawford has turned the project over to Stellar One Bank. There are four items of issue on which we would like to update for any recommendations you might want to make to the IDA in seeing a resolution prior to the Bank taking further action:

- ❖ Amount owed – A total of \$210,000 is due to be paid to the IDA by April 2010. Otherwise, the IDA can repurchase this property at the original purchase price. I expect the Bank is prepared to make this payment in order to preserve their investment.
- ❖ \$2,000 per lot release fees – In addition to paying the remaining \$210,000 of the \$525,000 purchase price of this property, the IDA is owed \$2,000 per lot for the cost of having installed the primary road through the property and a sewer pump station. Technically, this amount would be due upon transfer from RRNRC (Steve Crawford's company) to the bank. We expect the bank to ask that this amount be collected only upon subsequent sale by the Bank to third parties.
- ❖ Reservation of property – The deed for the most recent transfer of property to Steve Crawford called for the reservation of 15.8 acres of property on which to construct two ball fields. The agreement does not specify the type of ball field or the time by which the fields would be built. Steve Crawford subsequently reduced the amount of property reserved for the ball fields to approximately 7.6 acres and the reduction was not caught by the County when the next development phase was approved. Thus, an adjustment to the agreement, an arrangement for the use of other property, or the purchase by the bank of adjacent property either owned by the IDA or Time Equities (owner of the former New River Industries Plant) will need to take place to resolve the acreage issue. ***Enclosed*** are plats showing the development before and after the change affecting the recreation property and an aerial photograph illustrating the balance left.
- ❖ Sale of swimming pool property – While not directly related to the bank's possession of the property, Steve Crawford had given his former wife the swimming pool property as part of a divorce settlement. The plat for the subdivision of the property was not legal and is being addressed by Shawn Utt through the surveyor. The appropriateness of selling property designated as open space also needs to be considered.
- TMD Building Purchase – ***Enclosed*** is the offer to purchase the building as is currently being considered by the company. In addition to making this offer, the IDA has put \$100,000 in escrow toward this purchase. Also ***enclosed*** is a draft lease to James Hardie for the use of the open manufacturing portions of the TMD building as a temporary warehouse

while a permanent warehouse building gets built. Finally, enclosed is a draft agreement with TMD for the storage of product brake samples that the company needs to retain should any future manufacturing problems arise.

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:

- Project Windy – While we hope that the discussion at the April 20th work session will address any necessary issues, this matter is being placed on the agenda in case any matters remain for discussion.

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:

- None

PMH/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.

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

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

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:

- Surplus Properties
- Sheriff's Office
- Heron's Landing
- TMD Building

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.

- Project Windy

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:

- None

April 29, 2010

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: **Recognitions**

- Featured Employees – The featured employees to be recognized at the April Board meeting and featured for the month of May are Kim Wright from the Community Development and Tony Burton from the General Properties departments. Job summaries for both employees are *enclosed*.

/gh

April 19, 2010

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

Public hearings have been scheduled for the Board meeting as follows:

- a. Petition by Marvin C Hight Jr. to rezone two parcels located at 4350 Hurston Road, (Rt. 644) from Residential (R1) to Agricultural (A1). (074-001-0000-0066, 074-001-0000-0067), (Draper District). - A public hearing had been scheduled to consider the above request as described in the ***enclosed*** information. The Planning Commission recommends approval.
- b. A request from Community Christian Church to vacate approximately 180 ft. of an existing 40 ft. unimproved right-of-way joining Howery Rd. (1021) and Grace St. (Rt. 1020), in the Draper District. - A public hearing had been scheduled to consider the above request as described in the ***enclosed*** information. The Planning Commission recommends approval.
- c. A request from Thomas W. and Nina Templeton and Christa G. Hinkelmann to vacate a 30 ft. unimproved right-of-way adjoining a 50 ft. unimproved right-of-way on the east side following Claytor Lake to Roy R. & Peggy W. Griffiths located in Plantation Estates Subdivision, in the Ingles District. - A public hearing had been scheduled to consider the above request as described in the ***enclosed*** information. The Planning Commission recommends approval.

PMH/gh

April 19, 2010

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) – As of the time of preparing this packet, we had not received an updated timetable from Mr. Clarke.
 2. Report on Potential Revenue Sharing Projects – Potential projects for consideration under the Revenue Sharing program include the improvement to the Route 11 entrance to NRCC and the improvement to the Route 11/Roundhouse Road intersection. NRCC is requesting approval for this project by the Virginia Community College System office with the anticipation that the required 50% funding would be provided by the College.
 3. Cost for Improvements to the Roundhouse Road and Route 11 intersection – Review and consideration to relocating this intersection closer to the Route 11/Route 114 intersection is a first step in addressing the problem. If approved by VDOT, it is recommended that businesses benefiting from this improvement (Lowe's, WalMart, and Kendall Clay be contacted to determine their interest in providing at least a portion of the required 50% match.)
- b. Paving Request – Hodge Hollow Road – Ms. Judith Buccina of Hodge Hollow Road is requesting the road be paved. I recommend placing this request on the Six Year Plan waiting list.
- c. Request for street lighting at the intersection of Route 99 and McAdam Crossing - ***Enclosed*** is a series of e-mails related to a request for street lighting at the intersection of Route 99 and McAdam Crossing. I do not recommend subsidizing streetlight costs since street lighting is typically a municipal service paid for by additional taxes in incorporated portions of towns and cities.

April 19, 2010

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: Citizen Comments

- a. Home Consortium Presentation - The Home Consortium staff has requested time on the agenda to provide an update on the Home Consortium activities.
- b. Changes to Animal Control Ordinance with Trap-Neuter-Return Policy – Ms. Judith Peele and Ms. Keely Johnson plan to attend the meeting as representatives from the Humane Society and Wild & Feral, Inc. in order to present a new program called Trap, Neuter, and Return (TNR) for consideration to add to our existing ordinance. ***Enclosed*** are several articles and background information pertaining to the pro's and con's of this practice. In summary, the goal is to reduce the number of cats through natural selection after being neutered. Cats are trapped in a neighborhood or specific location, neutered and vaccinated, and then returned to a "colony" of cats either in the same location they were trapped from or to a caretaker's property. Without the ability to reproduce, the theory is that the colony will eventually extinguish itself. This is in opposition to the current practice of receiving cats at the shelter, briefly trying to adopt them, and then euthanizing. The research of literature is inconclusive as to the overall effectiveness of TNR.

In terms of amendments to the current ordinance, the presenters will ask the Board to consider either eliminating or increasing the current limit 10 cats per house and striking the ability to have two cats that are fertile in the household.

Based on the ***enclosed*** letter from the State Veterinarian's office and applicable code section, it appears that including language in the county ordinance which is consistent with TNR would not be on solid legal standing. The only seemingly gray area is if the Humane Society, after ensuring that the cat is neutered and vaccinated, releases the cats to a caretaker with a contractual agreement to feed and care for the cat. If the caretaker is deemed the same as the owner, then this may be permissible. It is recommended that the ten cat limit remain in place since increasing the limit could also allow for expansion of reproductive cat colonies. It is also suggested that the Humane Society discuss this matter with

the State Veterinarian and members of the General Assembly to request expansion of state authorization in dealing with this and other opportunities for decreasing feral cat populations.

- c. June Harless – Ms. Harless has requested time on the Board agenda, but did not offer an explanation as to the purpose of her request.

PMH/gh

April 19, 2010

TO: Board of Supervisors

FROM: Peter M. Huber, County Administrator

SUBJECT: **Reports from County Administrator and Staff**

- a. Appointments - See Closed Session memo for details regarding the following appointments:
1. Building Appeals Committee
 2. Clean Community Council
 3. New River Criminal Justice Services Board
 4. PEP Committees
 5. Social Services Board
 6. NR Valley Planning District Commission
- b. Key Activity Timetable – Review of the ***enclosed*** updated Key Activity Timetable is requested.

PMH/gh

April 19, 2010

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

- a. Approval of Minutes of March 22 & 29, 2010 – Approval of the ***enclosed*** minutes is recommended. Please let Gena know of any changes and corrections and they will be included in the April 23rd weekly update.
- b. Accounts Payable – Approval of the ***enclosed*** listing of accounts payable is requested.
- c. Interoffice Transfers and Appropriations – Approval of the ***enclosed*** interoffice transfers and appropriations is requested.
- d. Ratification and/or Approval of Contracts, Change Orders & Agreements, Etc. – Acceptance of SERCAP Grant - ***Enclosed*** is correspondence from the Southeast Rural Community Assistance Project, Inc. advising of intent to award Pulaski County a grant up to \$40,000 for sewer projects in Dublin. Concurrence in the acceptance of this grant is recommended.
- e. Personnel Changes – There are no personnel changes to report at this time.
- f. Fireworks Permit – Claytor Lake Festival – A fireworks permit has been requested by the Claytor Lake Festival Committee to conduct a fireworks display at the festival to be held on Saturday, June 12th.
- g. Loving Field Improvements - ***Enclosed*** is an e-mail from Anthony Akers describing the needs for Loving Field improvements. I recommend funding the most critical safety issues and operational use of the restroom facilities out of the current year contingency.
- h. Endorsement of Veto of House Bills 29 and 30 - ***Enclosed*** is a copy of a letter to Governor McDonnell from VACo and VML encouraging the veto of House Bills 29 and 30. Endorsement of this veto is recommended.

PMH/gh