

-
- | ITEM
(Follow-up Action) | KEY STAFF |
|---|-----------------------|
| 1. Invocation | |
| 2. Additions to Agenda | |
| 3. Public Hearings: | |
| a. -A request by Cecil Willard for an amendment to the zoning map from Residential (R) to Residential (R1) on property identified on Pulaski County tax records as parcel 055-017-0000-0005, located on the west of Route 643, Cougar Trail Road, in the Massie District.
(Denied - Advise applicant that no rezoning to R or R1 conditional for a church building can be considered for one year) | Ms. Spence |
| b. -The addition of a chapter to the Pulaski County Zoning Ordinance for Sign Controls.
(Approved effective January 1, 1996 - Prepare article explaining requirements to public for newspaper publication - Prepare information sheet based on table of signs allowed and maximum sizes) | Mr. Morgan/Ms. Spence |
| c. -The addition of a chapter to the Pulaski County Zoning Ordinance for Intensive Livestock, Dairy, and Poultry Facilities.
(Approved with editing of paragraph 4.1A and F to change the word "approved" to "act" - When new zoning and subdivision notebooks are prepared for Planning Commission and Board of Supervisors by January, include mailing to interested parties for update of zoning ordinance amendment) | Ms. Spence |
| d. -Plat vacation requests by Ernest Chinault and George Freeman between property identified on Pulaski County tax records as parcels 091-003-0000-0050, 099-002-0000-0049, 099-002-0000-0043, and 099-001-0000-0017 located off Route 748, Holbert Avenue in the Draper District.
(Approved - Notify applicants and provide with certified excerpt from minutes for purposes of recording) | |

- e. -A request by Betty Sipe for an amendment to the zoning map from Residential (R1) to Residential (R2) to allow placement of a manufactured home as a second dwelling on property identified on Pulaski County tax records as parcel 075-008-0002-0043, located on Squirrel Place in Lakewood Estates Sub-division in the Ingles District.

WITHDRAWN

- f. -A request by Kimberly Ray for extension of an amendment to the zoning map from Residential (R1) to Conditional Agricultural (A1) to allow continued placement of a second manufactured home on property identified on Pulaski County tax records as parcel 058-005-0000-0003, located off Route 611, Wilderness Road, in the Ingles District.

WITHDRAWN

4. Highway Matters:

- a. -Follow-up from Previous Board meetings:

- 1. -Request for Signing for School Bus Stops on the Lone Cedar Hill, along Route 693, Lead Mines Road, between ends of Route 672, Baptist Hollow Road and on Cherry Branch Road, Route 613

(VDOT has not received a request from the schools yet - Confirm with Harry Dehaven of School Board staff that request is being made - Place update on December agenda)

Ms. Hanks

- 2. -Request for a Formal Speed Study for Route 693, Lead Mines Road, on the Outskirts of the Village of Snowville

(Pending - VDOT reviewed - Place on December agenda)

Ms. Hanks

- 3. -Request for Placement of Intersection Ahead Warning Signs at all Appropriate Roads Leading Onto Route 693, Lead Mines Road, and Julia Simpkins Road

(VDOT has completed)

- 4. -Request for cost estimate by VDOT for inclusion of all of Route 693, Fariss Mines Road, Julia Simpkins Road, and Wurno Road, from Carroll County to Montgomery County to Six Year Plan

(VDOT has under review - Place on December agenda)

Ms. Hanks

5. -Route 690, Shelburne Road, Request for Speed Limit Posting
(Resident engineer confirmed no additional signing planned)

 6. -Consideration of Abandonment of a Portion of Old Route 710, Mount Olivet Road, from a point 2.60 mi. West of Corporate Limits of the Town of Pulaski to a point on Old Route 710, 3.00 mi. west of the Corporate Limits of the Town of Pulaski, A Total Distance of 0.40 mi. -
(County Attorney to draft agreement with U. S. Forest Service for transfer of minimum 50 foot right-of-way at the end of current maintenance of Route 710, Mount Olivet, Road, to the Board of Supervisors, with a commitment by owners of the Blevins property to maintain the right-of-way for their purposes until such time as that the right-of-way is improved and qualified as an addition to the secondary road system, and with Town of Pulaski rights to use right-of-way for maintenance and access of the Gatewood Reservoir Dam to be unaffected - Place update on January, 1996, supervisors agenda)
Mr. Coake/Mr. Morgan/
Mr. McCarthy
Ms. Hanks

 7. -Maintenance Facility Consolidation
(Noted matter under study by Secretary of Transportation, but no known impact on county road maintenance at this time)
- b. -Six Year Plan Update
(Approved plan containing priorities one through twenty as recommended by the resident engineer, with further review of supplemental list to be scheduled for February supervisors meeting, once estimates for various proposed projects are received and with the improvements to Route 683, Alexander Drive, to accommodate the expansion of the Volvo GM Heavy Truck Company to be accommodate through placement at the end of the supplemental list projects)

 - c. -Route 690, Shelburne Road, Brush Trimming
(VDOT will perform)

 - d. -Request for reflector on median post of

entrance to NRCC on Route 11, Lee Highway
(VDOT will perform)

- e. -Request for guardrail on Route F064,
Draper Valley Road
(Resident engineer will place on list
for review - County should submit
priorities to VDOT on routes needing
guardrail - Place on January supervisors
agenda) Ms. Hanks

- f. -Citizen Request for reduction of speed
limit on Route 636, Alum Spring Road
from Route 774, Second Morehead Lane,
to Town Limits
(Request petitioner seek letters or
signed petition from other neighbors
expressing similar concerns and request
for speed limit reduction - Staff is
encouraged to advise citizens requesting
speed limit reductions in advance they
should obtain such show of common
interest throughout the neighborhood
for placing on supervisors agenda) Ms. Hanks/Ms. Safewright

- g. -Scheduling of ISTE A Grant Public Hearing
(Schedule for December supervisors
meeting) Ms. Spence/Ms. Hanks

- h. -December 2 Road Viewing
(Supervisors Fariss, Vaughan and Sheffey,
as well as Supervisors-Elect Conner
and Cook, selected as road viewers -
Road viewers to meet at 8:00 a.m. on
December 2 at County Administration
Building - Prepare maps of roads to be
viewed) Mr. Morgan/Ms. Taylor

- i. -Board of Supervisors Concerns
(Supervisor Sheffey requested safety
improvements, possibly guardrails on
Route 687, Church Hill Lane)

(Supervisor Sheffey requested action as
previously agreed on speed reduction
signs posting on Route 624, New River
Road)

(Closing of railroad crossings not to be
considered for the New River community -
Advise Norfolk Southern)

(Supervisor Fariss requested an update
and editing of the supplemental list
for the six year plan to be sure a
number of roads in the Ingles District
are included on the list, a copy of

the list was presented to the county staff - Review proposed updated list for review and adoption by the Board of Supervisors at its February, 1996 meeting - Place on February agenda)

Mr. Huber

Ms. Hanks

j. -Citizen Concerns
(None)

5. Citizen Comments
(None)

6. Treasurer's Report
*Report on Stock Liquidation
(Allow stock liquidation recovery to be appropriated for Library use)

Ms. Burchett

7. Reports from the County Administrator & Staff:

a. -Appointments:

(Defer action on all appointments until January meeting except reappointment of three members of the Pulaski County Library Board effective January 1:
Mr. Atkinson, Ms. Clark and Ms. Hudson)

Ms. Hanks

1. -Office on Youth
2. -NRV Development Corporation
3. -Overall Appointments Expiring
December 31, 1995

b. -Demonstration of Vision 2020 and Alliance Marketing Program
(Presented)

c. -Scheduling Qualification and Oath of Office for Next Board of Supervisors and Organizational Meeting

(Request Circuit Court Clerk or Deputy to be present at December 18 meeting for administering oath of office and qualification for next Board of Supervisors - Confirm what papers must be filed to achieve qualification -

Ms. Burchett

Invite constitutional officers to take oath of office at same time, if desired - Prepare a resolution in lieu of surety bond for new Board of Supervisors)

" "

" "

Mr. McCarthy/Ms. Burchett

d. -VACO/VML Regional Legislative Meetings
(County Administrator to attend December 5 meeting representing the county - Invite legislators to a working meeting with other interested groups, such as towns and schools - Consider December 18 regular supervisors meeting or other suitable date - Draft resolution of concern for reduced state funding for

education along with a letter to
Governor Allen on same subject)

Ms. Hanks/Mr. Morgan

8. Items of Consent:

- a. -Minutes of October 23 and November 2,
1995
(Approved) Ms. Hanks
- b. -Accounts Payable
(Approved) Ms. Sayers
- c. -Transfers and Appropriations:
 - 1. -General Fund Transfers
 - 2. -General Fund Appropriations
 - 3. -Internal Service Fund Appropriation
(Approved, but insure security on
access to AS400 by any non-county
dial-in users) Ms. Burchett/Mr. Huber
- d. -Contracts and Change Orders
(Approved)
- e. -Ratification:
 - 1. -Route 660 Water Storage Tank
Change Order #1 - \$1,700
(Approved)
 - 2. -Recapping Services - County Garage -
B&B Tire Service of Hillsville
(Approved) Mr. Mayberry
 - 3. -Virginia Juvenile Community Crime
Control Grant
(Approved)
 - 4. -Flexible Benefits Plan Administration
(Approved) Ms. Burchett
- f. -Personnel Changes
(Reported)
- g. -Gifts and Gratuities Policy Revision
(Reviewed - Advise employees and include
in policy manual) Ms. Burchett
- h. -Pawn Brokers License
(Prepare ordinance for public hearing
Advertise public hearing once ordinance
prepared at next convenient meeting) Ms. Hanks/Ms. Spence
- i. -Road Name Change Policy
(Approved, with correction of wording
to note cost of sign changes to be
borne by petitioners) Mr. Morgan/Mr. Crigger
- j. -Emergency Operations Plan Revisions
(Approved - Advise Virginia Department of

- Emergency Services) Mr. Crigger
- k. -C. W. Lovern Property - Garbage Dump,
Hilton Village Loop - Scheduling of
Public Hearing
(Schedule public hearing for December 18
meeting on enforced cleanup at expense
of landowner - Advise landowner -
Include hearing ad in December 2 & 10
publications) Mr. Goins
Ms. Spence
- l. -1995 Christmas Holidays
(Approved adoption of state holidays -
Advise employees) Ms. Burchett
- m. -Motion Control Acceptance of NR
Industrial Park Site 1 or 2
(Extend deadline for response on choosing
a particular site to December 11 - Con-
firm industry will announce location) Mr. Huber
- n. -Resolution of Endorsement for VDOT
Rail Passenger Proposal
(Adopted - Send resolution to Alan
Tobias, State VDOT Rail Officer,
VDOT Commission Gehr, Transportation
Secretary Martinez, Chamber of
Commerce Dux and Director Bowman) Ms. Hanks
- o. -Restructuring of Private Industry Council
(Approved - Draft letter for Chairman's
signature) Mr. Huber/Ms. Hanks
- p. -NRRRA Financing Endorsement
(Approved - Send to NRRRA financial
advisor) Mr. McCarthy/Ms. Hanks
9. Citizen Comments
(None)
10. Other Matters from Supervisors
(Endorse VACO suggestion for mandatory local
regulatory authority - FAX concerns to
Congressman Bliley and Congressman Boucher) Ms. Hanks

(Purge committee list from all excess committees
and outdated appointments) Mr. Morgan/Ms. Hanks

(Include action on appointments on January
1996 meeting agenda) Ms. Burchett/Ms. Hanks
11. Executive Session - 2.1-344(A)
*Personnel
*Legal
*Land Acquisition/Disposition
(Extend offer to purchase Sloop family
right-of-way needed for Locust Avenue

rural addition extension at a cost of
\$2,850 for 1.14 acres, as well as a
commitment to relocate any fences necessary
at county expense)

Mr. Morgan

*Prospective Industry

12. Adjournment

November 27, 1995

TO: Board of Supervisors

FROM: Joseph N. Morgan, County Administrator

SUBJECT: Highway Matters

a. Follow-up from Previous Board meetings:

1. Request for Signing for School Bus Stops on the Lone Cedar Hill,
along
Route 693, Lead Mines Road, between ends of Route 672, Baptist Hollow
Road
and on Cherry Branch Road, Route 613 - School Maintenance
superintendent
Harry DeHaven agreed to contact VDOT directly.

2. Request for a Formal Speed Study for Route 693, Lead Mines Road,
on the
Outskirts of the Village of Snowville - VDOT was requested to
conduct a
formal speed study. The resident engineer may have an update on
this
matter.

3. Request for Placement of Intersection Ahead Warning Signs at
all
Appropriate Roads Leading Onto Route 693, Lead Mines Road, and
Julia

Simpkins Road - VDOT reported at the last supervisors meeting that signs had been installed where deemed appropriate. VDOT agreed to review again for roads leading onto Route 693, such as Route 605, Little River Dam Road, Route 619, Izaak Walton League Road, and Route 690, Shelburne Road, as well as other through roads that are not dead end roads. The resident engineer may have an update on this matter.

4. Request for cost estimate by VDOT for inclusion of all of Route 693, Fariss Mines Road, Julia Simpkins Road, and Lead Mines Road, from Carroll County to Montgomery County to Six Year Plan - The resident engineer may have information to share, which will be helpful when the Supervisor's Supplemental Six Year Secondary Road Plan is updated.

5. Route 690, Shelburne Road, Request for Speed Limit Posting - Enclosed is an update from the resident engineer advising VDOT can find no reason to post a speed limit on this road.

6. Consideration of Abandonment of a Portion of Old Route 710, Mount Olivet Road, from a point 2.60 mi. west of Corporate Limits of the Town of Pulaski to a point on Old Route 710, 3.00 Mi. west of the Corporate Limits of the Town of Pulaski, A Total Distance of 0.40 mi.- Ms. Naomi Johnson of the U. S. Forest Service indicates a willingness for the USFS to grant a fifty foot wide right-of-way to VDOT or the county for future extension of Route 710 beyond the existing end of pavement to the Blevins property. No requirement for maintenance would be placed upon the county or VDOT. Whenever the owners of the Blevins property subdivide the property, a road to meet the subdivision ordinance and VDOT requirements would be installed. This arrangement will allow the Blevins family with a developable access, but place no burden on the county or VDOT. If acceptable with VDOT, authorization is requested for the county attorney and engineer to prepare an agreement and for the chairman and county administrator to execute such an agreement to accomplish this purpose.

7. Maintenance Facility Consolidation - Enclosed is a response from Transportation Secretary Martinez advising the study is underway, but no reductions are yet determined.

b. Six Year Plan Update - The Board has scheduled the November meeting for approval of an update to the Six Year Plan. Enclosed is:

1. the draft plan update prepared by the resident engineer, which was explained at the public hearing in September;
2. a comparison of the current and proposed six year plans; and
3. charts and maps showing the current Six Year Plan and the Supervisors Supplemental Six-Year Secondary Road Plan.

A list of pending additions to the supplemental plan that have been brought up since the last update of the plan is being prepared. To insure the supplemental plan is complete, the Board may want to wait until January or February to update the supplemental plan; however, the Six Year Plan update is due now.

On a related matter, enclosed is a request from Mr. and Mrs. Michael D. Brown opposing pavement of Route 601, which is a major cost item on the proposed plan.

c. Route 690, Shelburne Road, Brush Trimming - A request was received for trimming of overhanging brush along Shelburne Road. The resident engineer may have information to share.

d. Request for reflector on median post of entrance to NRCC on Route 11, Lee Highway - The county Highway Safety Commission (Emergency Medical Services Council) has requested VDOT consider placing a reflector on the median post at the entrance to NRCC on Route 11, Lee Highway.

e. Request for guardrail on Route F064, Draper Valley Road - The Highway Safety Commission has also expressed concerns over some culverts on Draper Valley Road that need guardrail.

f. Citizen Request for reduction of speed limit on Route 636, Alum Spring Road from

Route 774, Second Morehead Lane, to Town Limits - Ms. Patti Robinson requested consideration of a reduction in the speed limit on Route 636, Alum Spring Road, from Route 774, Second Morehead Lane, to the Pulaski town limits.

g. Scheduling of ISTEAE Grant Public Hearing - The Board is requested to consider

scheduling a hearing at its December meeting for consideration of projects for the Intermodal Surface Transportation Efficiency Act (ISTEA) enhancement program. Projects that have been suggested are: the Draper Mountain Overlook and trail reopening and renovation; and a state-wide promotion of civil war sites.

h. December 2 Road Viewing - The annual road viewing is scheduled for 8:00 a.m. on Saturday morning, December 2. It is suggested the Board and VDOT representatives meet at the County Administration Building. A list of roads to view will be presented November 27.

i. Board of Supervisors Concerns - Any additional concerns the Board may have can be considered at this time.

j. Citizens Road Concerns - Any additional concerns citizens may have can be considered at this time. This item was added to the agenda to allow citizens to gather information on road matters while the resident engineer or his representative is still at the meeting.

JNM/gh

cc: Mr. J. D. Brugh, VDOT Resident Engineer

November 27, 1995

TO: Board of Supervisors

FROM: Joseph N. Morgan, County Administrator

SUBJECT: Reports from the County Administrator & Staff

a. Appointments:

1. Office on Youth - Resignations were received this week for Marian Lockard, Annette Jenkins & Ned Olinger from the Office on Youth, Youth Services Citizens Board. The remaining board members are considering a recommendation for reorganization, along with cooperation with the Family Assessment Management Team and the new PCOY director.

2. NRV Development Corporation - Enclosed is correspondence from the New River Valley Development Corporation requesting two appointments be made to fill positions previously occupied by Mr. Dan Grubb and Mr. James Morris. There are currently four positions on the Development Corporation. Assistant County Administrator Peter Huber and Wayne Carpenter continue to fill two of these positions.

3. Overall Appointments Expiring December 31, 1995 - Of the enclosed list of appointments expiring, only the Library Board should be considered before the new Board of Supervisors take office and that can be delayed until the new Board's organizational meeting.

b. Demonstration of Vision 2020 and Alliance Marketing Program - Mr. Huber will arrange a demonstration, if equipment can be obtained. If not, the presentation will be available in December.

c. Scheduling Qualification and Oath of Office for Next Board of Supervisors and Organizational Meeting - The Board may want to invite the Circuit Court Clerk or other appropriate official to the December 18 Board of Supervisors meeting to issue the oath of office for the next Board. Also, the Board may want to consider when, after January 1, the organizational meeting will be held. I recommend the Board adopt a resolution in lieu of a cash or surety bond for those members that will not handle funds. The chairman and vice-chairman are the only supervisors handling funds by check signing.

JNM/gh

November 27, 1995

TO: Board of Supervisors

FROM: Joseph N. Morgan, County Administrator

SUBJECT: Items of Consent

a. Minutes of October 23 and November 2, 1995 - See enclosed.

b. Accounts Payable - See enclosed.

c. Transfers and Appropriations:

1. General Fund Transfers - A listing of transfers will be presented prior to the supervisors meeting.

2. General Fund Appropriations - Enclosed are appropriations received to date from the School Board. Also enclosed is a summary of carry over obligations from FY 95, which need to be made as supplemental appropriations, as well as noted in the audit report as obligations to be paid from the fund balance at the end of the last fiscal year. A listing of additional appropriations will be presented prior to the supervisors meeting.

3. Internal Service Fund Appropriation - For continued access to deed indexes after the circuit court clerk converts his data processing to the Supreme Court system, it is recommended \$1,000 be added to the Data Processing

department for FY 96. It is also recommended the deed index access, as well as access on property tax records be made available by telephone call-in via modem and at the Treasurer's office. Call in access would be on a fee basis. Access to terminals in public buildings, such as those at the circuit court clerks and treasurer, and in the future at the library, would be at no charge.

d. Contracts and Change Orders - Any contracts and change orders will be submitted prior to the November 27 meeting.

e. Ratification:

1. Route 660 Water Storage Tank Change Order #1 - \$1,700 - Ratification of the enclosed change order in the amount of \$1,700 for the sub-soil investigation is requested.

2. Recapping Services - County Garage - B&B Tire Service of Hillsville - Enclosed is a memo from Director of Fleet Maintenance and Operations Doug Mayberry regarding request for proposals for tire recapping services and the award of those services to B&B Tire Service of Hillsville. Ratification of this award is requested.

3. Virginia Juvenile Community Crime Control Grant - Acceptance of the Virginia Juvenile Community Crime Control Act grant funds is requested. See enclosed grant application.

4. Flexible Benefits Plan Administration - Enclosed is a memorandum from Director of Management Services Burchett providing a summary of the proposals received. Ratification of the award to Hunt, Dupree and Rhine is requested.

f. Personnel Changes - Enclosed is an update of recent personnel changes from the Director of Management Services.

g. Gifts and Gratuities Policy Revision - The Board of Supervisors, at its October meeting, approved a revision to the Gifts and Gratuities Policy. Staff was

requested to make a recommendation on a set value for acceptance of gifts. It is recommended a value of \$25 be set for acceptance of gifts and gratuities.

The revised policy is to read:

Employees may not personally accept gifts of significant value, but may accept gifts or contributions that will be used to the benefit of the public in a county office, subject to acceptance of that contribution being confirmed by the County Administrator or the Board of Supervisors Chairman. A value in excess of \$25 shall be deemed significant.

h. Pawn Brokers License - Due to a recent inquiry regarding licensing of pawn brokers, the county attorney has suggested the Board establish criteria for such licenses. Section 54.1-4000 allows Board of Supervisors to issue such licenses. The county attorney suggests issuance require submittal of the social security number and business history of the license applicant(s). The attorney can proceed to prepare the necessary resolution ordinance for Board consideration at the next convenient meeting.

i. Road Name Change Policy - The "Thoroughfare Naming and Property Numbering Ordinance" adopted June 27, 1988 and Section 3.12.7 "Streets - Names" of the Subdivision Ordinance adopted June 25, 1990 assign naming of streets to the subdivision agent, with appeals for disagreement to be handled by the Planning Commission. However; the renaming of existing streets requires the approval of the Board of Supervisors.

At the September 1995, Supervisors meeting, the staff was requested to recommend a policy that provides a procedure for name changes, requiring interested residents to incur the cost of any resigning. Therefore, the following procedure is recommended:

Applications for changes to existing street or road names shall be referred for review to the subdivision agent and the emergency services coordinator. The recommendation of the agent and coordinator shall be

reported to the applicant and planning commission within sixty days of receipt.

Action on the change shall be made by the planning commission within sixty days of receipt of the recommendation from the agent and coordinator.

Appeals from decisions of the planning commission may be appealed to the Board of Supervisors. Appeals to the Board of Supervisors will require notice and hearing as provided in Section 15.1-431 of the 1950 Code of Virginia, as amended. All expense for such notice shall be borne by the applicant. In addition, when appeals are made to the Board of Supervisors the applicant shall present a petition in favor of the decision appealed, signed by a majority of the property owners along the street or road for which the name change is requested.

Whenever, a name change is approved, the expense for resigning the road or street shall be borne by the applicants. If the street or road in question has been numbered in accordance with the 911 emergency telephone system and such numbers have been used by the U.S. Postal Service as addresses, the applicants shall also bear the expense of notifying all postal patrons affected by the change of the new addresses.

j. Emergency Operations Plan Revisions - Adoption of the enclosed addition to the county's Emergency Operations Plan (EOP), which adds an airport annex to the Pulaski County EOP, is recommended. Adoption is needed to continue federal and state funding for emergency services coordination.

k. C. W. Lovern Property - Garbage Dump, Hilton Village Loop - Scheduling of Public Hearing - Enclosed is an update from the Director of Code Enforcement regarding the above property. Staff recommends the Board schedule a public hearing at its December meeting to receive citizen comments and concerns regarding the property.

l. 1995 Christmas Holidays - Enclosed is notice from the Office of the Governor

authorizing additional holiday time for state employees. Both Christmas Day and New Year's Day are automatic holidays from county employees and both fall on a Monday this year. The Governor has approved closing state offices at noon on Friday, December 22, and be closed all day on Tuesday, December 26, as well. In addition, state office employees may take one additional day of holiday leave on Wednesday, December 27; Thursday, December 28; Friday, December 29; or Tuesday, January 2. It is recommended the county follow suit, especially since the courts computers will be shut down these days.

m. Motion Control Systems, Inc. (MCS) Acceptance of NR Industrial Park Site 1 or 2
- Assuming acceptance is received from MCS, authorization is requested to work to transfer the site from the IDA. If not accepted, authorization to withdraw the offer is requested.

n. Resolution of Endorsement for VDOT Rail Passenger Proposal - The planning commission has passed a resolution of endorsement. A similar resolution by the Board is recommended.

o. Restructuring of Private Industry Council - Enclosed is a request from the assistant county administrator for an endorsement of the federal job training restructuring that would retain local input in distribution of the funding.

p. NRRRA Financing Endorsement - Bond counsel and financial advisors for the New River Resource Authority have requested endorsement of the November 15 NRRRA \$9.5 million borrowing authorization from the bond pool administered by the Louisa County IDA. The text of the requested resolution is enclosed.

JNM/gh

November 20, 1995

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TO: Board of Supervisors

FROM: Joseph N. Morgan, County Administrator

SUBJECT: Executive Session - 2.1-344(A)

An executive session may be requested pursuant to Section 2.1-344(A) of the 1950 Code of Virginia, as amended, to discuss the following personnel, legal, land acquisition/disposition, and prospective industry matters, as well as other matters that may occur. At the current time there is no known issue requiring an executive session.

Land Acquisition / Disposition -

New River Site - Enclosed is the proposal by Mike Boyer for the golf and residential development along the New River at the New River Industrial Park site. The proposal is a land swap for utility and road extension. To provide for adequate competition on the potential development, the Board may want to receive other proposals. Mr. Boyer understands his proposal is a starting place for further discussion.

Locust Avenue Extension - The enclosed offer received an interested response. Mary Elizabeth Sloop, who has power of attorney for her father, indicated an interest to sell, but requested \$2,500 per acre for whatever acreage would be included in the right of way. The acreage included is 1.14 acres, or a cost of \$2,850.

Prospective Industry -

Meadville Forging - Mr. Huber is obtaining cost of grading for the proposed site next to BBA. Enclosed is the latest correspondence that describes the extent of incentives offered to date.

Legal Matters -

Avis Construction Final Payment - We are withholding \$50,000 from the final payment for the courthouse renovation. Mr. McCarthy and I met with Avis representatives (Lynn Avis, owner; Barry Baird, Vice-President; John Mason, Project Manager; and Bernie Taylor, Superintendent) and Architect Tom Douthat on November 17 to discuss the reasons final payment has not been made and to hear Avis request for an additional payment of \$30,066. Enclosed is correspondence explaining the additional payment request and indicating the architect recommendation to deny the request. I explained the county's position that liquidated damages may be due. \$30,000 is being withheld for liquidated damages in delay of completion of the job (from April to August). \$20,000 is being withheld for failure to install the heating and cooling system properly, plus other job completion items. The \$20,000 can be released on the architects approval. At the October Supervisors meeting, authorization was given to withhold the \$30,000 for liquidated damages unless Avis dropped the request for additional compensation. The meeting indicated no change in opinion from Avis, but did result in a decision to allow Avis to submit more information to the architect. I advised I would not recommend paying additional compensation, based on any information I have to date. I also indicated I knew no recourse for Avis to obtain such additional compensation without litigation. Mr. McCarthy is reviewing the related correspondence and contract documents. He can advise the Board if any other action is advisable.

/gh