

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 10<sup>th</sup> DAY OF AUGUST, 2009 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	James D. Politis	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	Doug Marrs	
	John A. Muffo	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Ron Bonnema	-County Engineer
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

**CALL TO ORDER**

The Chair called the meeting to order.

**INTO CLOSED MEETING**

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of An Public Body

1. Social Services Board
2. Virginia Tech/Montgomery Regional Airport Authority

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marris	
John A. Muffo	
Annette S. Perkins	

### **OUT OF CLOSED MEETING**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
James D. Politis	
Mary W. Biggs	
Doug Marris	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	

### **CERTIFICATION OF CLOSED MEETING**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only

such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

James D. Politis  
Mary W. Biggs  
Doug Marrs  
John A. Muffo  
Gary D. Creed  
William H. Brown  
Annette S. Perkins

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

**INVOCATION**

A Moment of Silence was lead by Chair Perkins.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**DELEGATIONS**

**Courthouse Project Update**

Jack Murphy, Thompson + Litton, updated the Board on the Courthouse Project. Mr. Murphy reported that they are ready to award the construction contract for the new courthouse. Twelve sealed bids were received ranging from \$19 million to \$21.8 million, with the lowest bid coming in at \$19,068,000 from Devere Construction Company of Michigan. All bids came in lower than the construction cost estimate of \$23.6 million. Thompson + Litton researched DeVere Construction Company and believe they are qualified for the job. Mr. Murphy recommended that the Board of Supervisors accept the bid by Devere Construction Company and consider awarding the construction contract, which is listed on the Board's agenda later tonight.

## **Virginia Department of Transportation**

David Clarke, VDOT Residency Administrator, updated the Board of Supervisors on road issues/concerns in Montgomery County. Mr. Clarke reported that VDOT has received bids for the paving overlay of Mt. Zion Road and the construction bid for Mt. Pleasant Road. Both bids have come in lower than the price estimated. VDOT plans to award contracts for both projects soon.

On the Board's agenda later tonight are two resolutions to abandon portions of right-of-way along Coal Bank Hollow (SR 649) and Smith Creek Road (SR 675). This request by VDOT is to finalize paper work from projects completed in 1995 and 1997.

The Chair thanked Mr. Clarke for the updates.

## **PUBLIC HEARINGS**

### Ordinance Amending Chapter 2, Article I, Section 2-12

**An Ordinance Amending Chapter 2, Article I Entitled Administration Section 2-12 of The Code of The County of Montgomery, Virginia By Changing the Name of The Industrial Development Authority of Montgomery County, Virginia to the Economic Development Authority of Montgomery County, Virginia.**

The County Attorney provided a summary of the request by the Industrial Development Authority (IDA) to change their name to the Economic Development Authority (EDA). The Virginia State Code allows localities to create an Industrial Development Authority and also allows the name to be changed to Economic Development Authority. The IDA believes that Economic Development Authority is a more suitable name.

The Chair opened the public hearing.

There being no speakers, the public hearing was closed.

### An Ordinance Amending Chapter 6, Article IV, Division 2, Section 6-89

**An Ordinance Amending Chapter 6, Article IV, Division 2, Entitled County Vehicle License, Section 6-89 of The Code of the County of Montgomery, Virginia by Reducing the Vehicle License Fee for Antique Motor Vehicles Registered with the Division of Motor Vehicles as an Antique Vehicle and Displaying Virginia Antique Vehicle License Plates to Ten Dollars.**

The County Attorney provided a summary of the proposed ordinance amendment. He explained that in 2007 the Board of Supervisors adopted an ordinance eliminating the displaying of a vehicle license decal and implementing a vehicle license fee. During this process the ten dollar decal fee for antique vehicles was eliminated and they were to be charged the full vehicle license

fee. This ordinance amendment will reduce the amount of the vehicle license fee for antique vehicles back to ten dollars.

The Chair opened the public hearing.

Don Robertson addressed the Board with concerns with imposing a vehicle license fee for antique vehicles. Mr. Robertson believes the Board of Supervisors should exempt the license fee for antique vehicles. Collecting antique vehicles is a hobby much like collecting guns or stamps. Mr. Robertson commented that the County would not lose that much revenue by exempting antique vehicles from the license fee.

Wes Atkinson requested the Board exempt antique vehicles from the vehicle license fee. Mr. Atkinson commented that surrounding localities already exempt antique vehicles from any licensee or decal fee such as the counties of Pulaski and Floyd, Radford City, and the towns of Blacksburg and Christiansburg. He stated the Department of Motor Vehicles (DMV) has restrictions on what qualifies for an antique vehicle, which cannot be driven as an everyday vehicle. Mr. Atkinson thanked the Board for their time and consideration on this matter.

There being no further speakers, the public hearing was closed.

#### Proposed Property Exchange between the County of Montgomery and Virginia Tech

**The County of Montgomery proposes to exchange sixteen acres that the County is obtaining from the Virginia Tech Foundation for twenty acres currently owned by Virginia Tech adjacent to Prices Fork Road.** The sixteen acres proposed to be conveyed to Virginia Tech is located in the western portion of the Town of Blacksburg, Virginia, is accessed by Plantation Road and is a portion of Tax Map 284-A-5Q and a portion of the former Heth Property. The twenty acres the County is proposing to obtain from Virginia Tech is a portion of Tax Parcel 52 (5)(2) located on the southside of Prices Fork Road just east of the current Prices Fork Elementary School. The twenty acres is being obtained from Virginia Tech for the purpose of constructing a new Prices Fork Elementary School.

The County Attorney provided a summary on the above public hearing. The Virginia State Code requires a public hearing on property that is being exchanged that is owned by the County, even though the County may only own the property in the short-term. The County is purchasing 16 acres from the Virginia Tech Foundation, which will be exchanged for 20 acres owned by Virginia Tech. The 20 acres will be used for the purpose of constructing a new Prices Fork Elementary School.

The Chair opened the public hearing.

Walt Shannon, Interim Superintendent for Montgomery County Public Schools, recognized the hard work the Board of Supervisors and County Administration put into acquiring land for a new Prices Fork Elementary School. The existing school site is landlocked and therefore the school cannot be renovated to meet the current needs. The proposed new school will

accommodate 600 students. Mr. Shannon commented he is looking forward to moving ahead with construction of this school.

Wes Atkinson asked the Board of Supervisors how they came up with exchanging 16 acres for 20 and the cost for purchasing this property.

The County Attorney explained that each parcel, the 16 acres and the 20 acres, have the same land value. The County is purchasing the 16 acres for \$1 million.

There being no further speakers, the public hearing was closed.

### **PUBLIC ADDRESS**

There were no speakers.

### **CONSENT AGENDA**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Consent Agenda dated August 10, 2009 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
Gary D. Creed	
William H. Brown	
James D. Politis	
Annette S. Perkins	

### **Approval of Minutes**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the minutes dated April 13, 2009 and April 24, 2009 were approved.

**Schedule Public Hearing**

**R-FY-10-13  
SCHEDULE PUBLIC HEARING  
AN ORDINANCE REPEALING THE ORDINANCE  
AUTHORIZING THE FORMATION OF THE  
WORKFORCE INVESTMENT AREA CONSORTIUM  
AND ENTERING INTO THE NEW RIVER/MOUNT ROGERS  
WORKFORCE INVESTMENT CONSORTIUM AGREEMENT**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby schedules a public hearing for September 14, 2009, at 7:15 or as soon thereafter at the County Government Center located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the proposed ordinance entitled "Ordinance Repealing The Ordinance Authorizing The Formation Of A Joint Entity Between The Counties Of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington And Wythe And The Cities Of Bristol, Galax And Radford, Virginia To Be Called The Workforce Investment Area Consortium And Bestowing On Such Entity All Powers Necessary And Proper For the Performance Of Its Duties Under The Workforce Investment Act". A copy of the Ordinance shall be made available for inspection in the County Administrator's Office and at the public hearing.

**A-FY-10-26  
VICTIM WITNESS GRANT  
APPROPRIATION**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010 for the function and in the amount as follows:

551 Victim Witness Grant	\$134,195
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

25511-424401 Victim Witness Grant	\$134,195
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BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

**FROM:**

200 Commonwealth's Attorney (\$4,000)

**TO:**

551 Victim Witness Grant \$4,000

Said resolution appropriates the Victim Witness Grant funds for FY 10.

**A-FY-10-27  
VIOLENCE AGAINST WOMEN  
STIMULUS GRANT APPROPRIATION**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010 for the function and in the amount as follows:

201 Commonwealth's Attorney Grants \$78,154

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

22012-424401 Violence Against Women - Stimulus Grant \$78,154

Said resolution appropriates the Stimulus Grant funding received to be used for programs to stop Violence Against Women.

**A-FY-10-28  
REGIONAL 911  
CARRYOVER FUNDS FROM FY 09**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010 for the function and in the amount as follows:

910 Regional 911 \$25,000

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451205 Designated Fund Balances \$25,000

Said resolution appropriates monies appropriated but not spent in FY 09 for the County's share of costs associated with the working group for the New River Valley 911 Emergency Communication Center.

**R-FY-10-14**  
**TRANSPORTATION SAFETY COMMISSION**  
**APPOINTMENT**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **1<sup>st</sup> Sergeant Paul Walts** as the **Virginia State Police** representative to the **Transportation Safety Commission** effective August 11, 2009 and expiring February 26, 2010.

Said appointment fills the unexpired term of 1<sup>st</sup> Sergeant D. Frank Parries, resigned.

**R-FY-10-15**  
**DIRECTOR OF EMERGENCY SERVICES**  
**APPOINTMENT -COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** as **Director of Emergency Services** effective August 11, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**R-FY-10-16**  
**FIRE AND RESCUE COMMISSION**  
**APPOINTMENT - COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** to the **Fire and Rescue Commission** effective August 11, 2009 and expiring January 14, 2011.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/ authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**R-FY-10-17**  
**METROPOLITAN PLANNING ORGANIZATION (MPO)**  
**APPOINTMENT -COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** to the **Metropolitan Planning Organization (MPO)** effective August 11, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/ authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**R-FY-10-18**  
**VIRGINIA'S FIRST REGIONAL INDUSTRIAL**  
**FACILITY AUTHORITY**  
**APPOINTMENT - COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** to **Virginia's First Regional Industrial Facility Authority** effective August 11, 2009 and expiring June 30, 2010.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/ authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**R-FY-10-19**  
**COMMERCE PARK PARTICIPATION COMMITTEE**  
**(VIRGINIA'S FIRST REGIONAL INDUSTRIAL FACILITY AUTHORITY)**  
**APPOINTMENT – COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows**, County Administrator, to serve as Montgomery County's representative on Virginia's First Regional Industrial Facility Authority's **Commerce Park Participation Committee** effective August 11, 2009 and expiring June 30, 2010.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby appoints **Carol Edmonds**, Assistant County Administrator, as alternate for F. Craig Meadows effective August 11, 2009 and expiring June 30, 2010.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/ authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

**R-FY-10-20**  
**WESTERN VIRGINIA REGIONAL JAIL AUTHORITY**  
**APPOINTMENT - COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Craig Meadows** to the **Western Virginia Regional Jail Authority** effective August 11, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/ authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**R-FY-10-21**  
**FAIRVIEW HOME, INC. BOARD OF DIRECTORS-**  
**APPOINTMENT – ASSISTANT COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Carol Edmonds, Assistant County Administrator**, to the **Fairview Home, Inc. Board of Directors** effective August 11, 2009 and expiring December 31, 2009.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

Said appointment fills the unexpired term of B. Clayton Goodman, III, resigned.

**OLD BUSINESS**

Supervisor Biggs requested the Board consider the ordinance as presented, which states that the vehicle license fee for antique motor vehicles be reduced to \$10, be amended in order to exempt the vehicle license fee for antique motor vehicles in order to be consistent with the two towns, who do not charge a fee for antique vehicles.

The Board of Supervisors agreed to amend the ordinance to state that the antique vehicles registered with the Division of Motor Vehicles shall be exempt from the vehicle license fee.

**ORD-FY-10-08**  
**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE IV, DIVISION 2,**  
**ENTITLED COUNTY VEHICLE LICENSE**  
**SECTION 6-89 OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA**  
**BY EXEMPTING THE VEHICLE LICENSE FEE**  
**FOR ANTIQUE MOTOR VEHICLES REGISTERED WITH**  
**THE DIVISION OF MOTOR VEHICLES AS AN ANTIQUE VEHICLE AND**  
**DISPLAYING VIRGINIA ANTIQUE VEHICLE LICENSE PLATES**

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 6, Article IV, Division 2, Section 6-89 of the Code of the County of Montgomery, Virginia, shall be amended and reordained as follows:

**Sec. 6-89. Amount of License fee.**

(a) *Motor vehicles.* ~~For the calendar year 2007, on each and every motor vehicle as provided in this division, there shall be a license fee of twenty dollars (\$20.00). Beginning calendar year 2008, On each and every motor vehicle as provided in this division there shall be a license fee of twenty-three dollars and fifty cents (\$23.50) per annum. This license fee shall be for a calendar year, January 1 to December 31.~~

(b) *Special provision for 2008.* ~~The foregoing notwithstanding, for the calendar year 2008 only, a credit of three dollars and fifty cents (\$3.50) shall be applied to each license purchased for 2008.~~

(c) *Vehicles not displaying current license plates.* There is hereby imposed an annual license fee of fifty dollars (\$50.00) per vehicle on owners of motor vehicles located in the county which do not display current license plates and which are not exempted from the requirements of displaying such license plates under the provisions of Title 46.2, Chapter 6 of the 1950 Code of Virginia, as amended, and which are not in a public landfill, in an automobile graveyard or in the possession of a licensed automobile dealer. This fee shall be due and payable on April first of each year and will not be considered in default if paid on or before May first of the year in which fee is due.

(d) *Vehicles exempt from license fee.*

(1) A local license shall be issued for which there shall be no license fee for any one (1) motor vehicle owned or leased and used personally by any veteran who holds a current state motor vehicle registration card establishing that he or she has received a disabled veteran's exemption from the department and has been issued a disabled veteran's motor vehicle license plate as prescribed in Section 46.2-739 of the Code of Virginia.

(2) A local license shall be issued for which there shall be no license fee for any one (1) motor vehicle owned or leased by any active member of a volunteer rescue squad or volunteer fire department.

(3) A local license shall be issued for which there shall be no license fee for each and every motor vehicle registered with the Division of Motor Vehicles as an antique motor vehicle and displaying a Virginia Antique Vehicle license plate.

(e) Nothing in this section shall be applicable to any vehicle being held or stored by or at the direction of any governmental authority, to any vehicle owned by a member of the armed forces on active duty or to any vehicle regularly stored within an enclosed building. Operable vehicles used for businesses conducted on the premises where the vehicles are stored are also exempt.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
John A. Muffo	
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Annette S. Perkins	

**R-FY-10-22**  
**RESOLUTION AUTHORIZING THE APPROVAL OF**  
**THE REAL ESTATE PURCHASE AGREEMENT WITH**  
**THE VIRGINIA TECH FOUNDATION**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Real Estate Purchase Agreement with the Virginia Tech Foundation to purchase 16 acres in the Town of Blacksburg, County of Montgomery, Virginia, for the purpose of exchanging this 16 acres with Virginia Tech for 20 acres of Virginia Tech property on Prices Fork Road.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes Annette S. Perkins, Chair of the Board, to execute the said Real Estate Purchase Agreement on behalf of the County of Montgomery, Virginia and to execute any and all required documents required to close on the purchase of the 16 acres.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Gary D. Creed	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Annette S. Perkins	

**R-FY-10-23**  
**RESOLUTION AUTHORIZING THE APPROVAL OF**  
**THE REAL ESTATE EXCHANGE AGREEMENT WITH**  
**VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY**

On a motion by Doug MARRS, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Real Estate Exchange Agreement with Virginia Polytechnic Institute and State University ("Virginia Tech") for the purpose of obtaining from Virginia Tech twenty (20) acres on Prices Fork Road in the County of Montgomery, Virginia, in exchange for sixteen (16) acres the County purchased from the Virginia Tech Foundation.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes Annette S. Perkins, Chair of the Board, to execute the said Real Estate Exchange Agreement on behalf of the County of Montgomery, Virginia and to execute any and all required documents required to close on the real estate exchange with Virginia Tech to acquire the twenty (20) acres along Prices Fork Road.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
James D. Politis	
Mary W. Biggs	
Doug MARRS	
John A. Muffo	
William H. Brown	
Annette S. Perkins	

**NEW BUSINESS**

**R-FY-10-24**  
**RESOLUTION AWARDED THE**  
**CONTRACT FOR THE COURTHOUSE PROJECT**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a construction contract to Devere Construction Company, Inc of Alpena, Michigan for the Montgomery County Courthouse and Change Orders may not exceed ten percent of the original award of \$19,089,000.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to execute the construction contract on behalf of the County of Montgomery, Virginia.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

**R-FY-10-25**  
**FY 2009-2010 REVENUE SHARING**  
**PRIORITY LIST AND APPROPRIATION**

On a motion by James D. Politis, seconded by William H. Brown and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors desires to submit an application for an allocation of funds of up to \$500,000 through the Virginia Department of Transportation Fiscal Year 2009-10 Revenue Sharing Program; and

WHEREAS, \$500,000 of these funds is requested to fund:

▪Willis Hollow Road (SR 609)	
Grading, drainage & surface treatment .5 mi	\$400,000
▪Craig Creek Road (SR 621)	
Spot widening for safety improvements	\$200,000
▪Yellow Sulphur Rd (SR 643)	
Spot widening for safety improvements	<u>\$400,000</u>
Total:	\$1,000,000

NOW, THEREFORE, BE IT RESOLVED, The Montgomery County Board of Supervisors hereby supports this application for an allocation of \$500,000 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2010, for the function and in the amount as follows:

930 VDOT Revenue Sharing \$500,000

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated Fund Balance	\$500,000

Said resolution appropriates the County’s local match for VDOT Revenue Sharing funds.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
William H. Brown	
Gary D. Creed	
James D. Politis	
Annette S. Perkins	

**R-FY-10-26**  
**RESOLUTION TO ABANDON PORTIONS OF**  
**SMITH CREEK ROAD (SR 675)**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Virginia Department of Transportation has provided this Board with a sketch dated September 22, 1997, depicting the additions and abandonments required in the secondary system of state highways as a result of Project 0675-060-155, C502, (Smith Creek Road – SR 675) which sketch is hereby incorporated herein by reference; and

WHEREAS, The portions of old road identified to be abandoned are deemed to no longer serve public convenience warranting maintenance at public expense; and

WHEREAS, The new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road (Smith Creek Road – SR 675) identified by the sketch to be added, pursuant to Section 33.1-229 of the Code of Virginia, and Section 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 shown in blue on the aforementioned sketch, a total distance of 1.00 mile.

BE IT FURTHER RESOLVED, The Board of Supervisors abandons as part of the secondary system of state highways, those portions identified by the sketch to be abandoned, pursuant to Section 33.1-155, Code of Virginia, and Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 shown in red on the aforementioned sketch, a total distance of 1.00 mile.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
John A. Muffo	
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Annette S. Perkins	

**R-FY-10-27**  
**RESOLUTION TO ABANDON A PORTION OF**  
**COAL BANK HOLLOW (SR 649)**

On a motion by John A. Muffo, seconded by William H. Brown and carried unanimously,

WHEREAS, The Virginia Department of Transportation has provided this Board with a sketch dated August 27, 1998, depicting the additions and abandonments required in the secondary system of state highways as a result of Project 0649-060-P80, M502 (Coal Bank Hollow-SR 649), which sketch is hereby incorporated herein by reference; and

WHEREAS, The portions of old road identified to be abandoned are deemed to no longer serve public convenience warranting maintenance at public expense; and

WHEREAS, The new road serves the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road (Coal Bank Hollow-SR 649) identified by the sketch to be added, pursuant to Section 33.1-229, Code of Virginia, and Section 3 shown in blue on the aforementioned sketch, a distance of 0.37 mile, and Section 4 shown in green of new connection on the aforementioned sketch, a distance of 0.05 mile, a total distance of 0.42 mile.

BE IT FURTHER RESOLVED, The Board of Supervisors abandons as part of the secondary system of state highways, those portions identified by the sketch to be abandoned, pursuant to Section 33.1-155, Code of Virginia, and Section 1 and 2 shown in red on the aforementioned sketch, a total distance of 0.42 mile.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	

### **INTO WORK SESSION**

On a motion by Mary W. Biggs, seconded by Doug Marrs, and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Montgomery-Floyd Regional Library  
Opportunity Online - Achieving Broadband Solutions for Libraries and Communities

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

Paula Alston, Library Director, provided a report on the need for additional broadband internet access for the libraries in Montgomery County. Ms. Alston showed a video presentation provided by the Virginia State Library on the need for broadband internet access for libraries across the Commonwealth.

Ms. Alston reported that there continues to be an increase in computer usage in all the libraries in Montgomery County as citizens are searching for jobs via the internet, filling out job applications, and general computer use.

She reported that she has been working with their internet provider, Citizens, to increase their broadband access. They have also submitted a grant application to the Gates Foundations for funds to provide more optic fiber lines for broadband.

### **OUT OF WORK SESSION**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Gary D. Creed	
Annette S. Perkins	

### **COUNTY ADMINISTRATOR'S REPORT**

Economic Development Administration Grant (EDA) – Corporate Research Center( CRC): The Virginia Tech Foundation received a \$1.9 million EDA grant to help expand the Virginia Tech Corporate Research Center. The project is expected to create 2,000 jobs and generate \$140 million in private investment. This will double the size of the Corporate Research Center.

Regional 911 Communication Center - The County Administrator reminded the Board that a joint meeting is scheduled for August 17, 2009 with the Town of Blacksburg, Town of Christiansburg, and Virginia Tech to discuss the need for a regional 911 communication center.

## **BOARD MEMBERS' REPORTS**

**Supervisor Muffo** recommended that Linda Felts be appointed to serve on the Social Services Board.

### **R-FY-10-28 SOCIAL SERVICES BOARD APPOINTMENT**

On a motion by John A. Muffo, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Linda W. Felts** to serve on the **Social Services Board** effective August 11, 2009 and expiring August 10, 2013.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

**Supervisor Creed** welcomed Craig Meadows as the new County Administrator.

**Supervisor Brown – Prices Fork Citizens Group/Community Center** Supervisor Brown reported a citizens group has been formed in Prices Fork to request that the existing Prices Fork School be converted into a community center. The community group is sending out surveys to residents who live in Prices Fork in order to gather ideas and comments about a Prices Fork Village Community Center. It is his understanding that the group will present their findings and request to the Board of Supervisors at a later date.

**Resolution of Appreciation – Carol Edmonds** - Supervisor Brown requested the Board of Supervisors adopt a resolution of appreciation to Carol Edmonds for doing an outstanding job as Interim County Administrator for Montgomery County.

**R-FY-10-29**  
**RESOLUTION OF APPRECIATION**  
**L. CAROL EDMONDS**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

**WHEREAS, L. Carol Edmonds** was appointed to serve as Interim County Administrator effective March 28, 2009 to fill the management void created by the resignation of the County Administrator; and

**WHEREAS, L. Carol Edmonds** agreed to assume additional duties related to managing and directing the County's day-to-day operations until the hiring of a permanent County Administrator; and

**WHEREAS,** During the period from March 28, 2009 to August 2, 2009, considerable major projects and initiatives were successfully carried forward under her leadership including:

- Completing acquisition of land for the new Prices Fork Elementary School
- Completing acquisition of land behind the Montgomery County Government Center
- Navigating the completion of the final design and bid process for the Courthouse Project
- Adoption of the FY 2009-10 Annual Budget

**NOW, THEREFORE, BE IT RESOLVED,** By the Board of Supervisors of Montgomery County, Virginia, that the Board of Supervisors hereby extends a unanimous vote of appreciation and gratitude to **L. Carol Edmonds** for her professional accomplishments and outstanding public service and dedication as Interim County Administrator from March 28, 2009 to August 2, 2009.

**BE IT FURTHER RESOLVED,** That the original of this resolution be presented to **L. Carol Edmonds** as a testimonial of the high esteem and appreciation in which she is regarded by the Board of Supervisors and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
John A. Muffo	
Annette S. Perkins	

**Supervisor Biggs** – reported the School Board will be holding an open forum at 7:00 p.m. at the Christiansburg High School regarding the Superintendent search.

**Supervisor Perkins** reported that Al Bowman’s term on the Virginia Tech/Montgomery Regional Airport Authority will expire on August 31, 2009. Mr. Bowman is the Authority’s at-large member. Supervisor Perkins recommended that Mr. Bowman be reappointed.

**R-FY-10-30**  
**VIRGINIA TECH/MONTGOMERY REGIONAL**  
**AIRPORT AUTHORITY (AT-LARGE MEMBER)**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appointments **L. Allen Bowman**, as the at-large member, to serve on the **Virginia Tech/Montgomery Regional Airport Authority** effective September 1, 2009 and expiring August 31, 2013.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
John A. Muffo	
William H. Brown	
Gary D. Creed	
James D. Politis	
Annette S. Perkins	

**Supervisor Perkins’ report continues:**

**Prices Fork Elementary School and Montgomery County Courthouse** Supervisor Perkins thanked everyone involved for their preservation and persistence in getting these two projects moving forward.

**ADJOURNMENT**

On a motion by William H. Brown, seconded by Gary D. Creed and carried unanimously, the Board adjourned to Monday, August 17, 2009 for a Special Joint Meeting with the Town of Blacksburg, Town of Christiansburg, and Virginia Tech to discuss the proposed Regional 911 Communication Center.

The vote on the foregoing motion was as follows:

AYE

James D. Politis

Mary W. Biggs

Doug Marrs

John A. Muffo

Gary D. Creed

William H. Brown

Annette S. Perkins

NAY

None

The meeting adjourned at 8:45 p.m.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Annette S. Perkins F. Craig Meadows  
Chair, Board of Supervisors County Administrator