

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 24TH 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 (arrived at 7:15 p.m.)	-Supervisors
	William H. Brown	
	Gary D. Creed	
	Doug Marris	
	John A. Muffo	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Steve Sandy	-Planning Director
	Kevin Byrd	-Comprehensive Planner
	Dari Jenkins	-Zoning Administrator
	Ruth L. Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

ADD TO THE AGENDA – ADDENDUM

On a motion by William H. Brown, seconded by James D. Politis and carried unanimously, the following addendum was added to the agenda under Delegations:

1. Montgomery County Museum – History Book
2. Montgomery County Chamber of Commerce

The vote on the foregoing motion was as follows:

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

INTO CLOSED MEETING

On a motion by William H. Brown, seconded by Doug Marris 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 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Blacksburg Technology Manufacturing Building

- (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 a Public Body
 - 1. Adjustment and Appeals Board
 - 2. Board of Zoning Appeals (BZA)

The vote on the foregoing motion was as follows:

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

OUT OF CLOSED MEETING

On a motion by Doug MARRS, seconded by William H. Brown 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>	<u>ABSTAIN</u>
William H. Brown	None	Mary W. Biggs (absent during closed meeting)
James D. Politis		
Doug MARRS		
John A. Muffo		
Gary D. Creed		
Annette S. Perkins		

CERTIFICATION OF CLOSED MEETING

On a motion by Doug MARRS, seconded by James D. Politis 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
 Doug MARRS
 John A. Muffo
 Gary D. Creed
 William H. Brown
 Annette S. Perkins

NAYS

None

ABSTAIN

Mary W. Biggs (absent during Closed Meeting)

ABSENT DURING VOTE

None

ABSENT DURING MEETING

Mary W. Biggs

INVOCATION

A Moment of Silence was lead by Chair Perkins.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATIONS

Montgomery County Museum – History Book

Bob Poff and Henry Jabolinski, representing the Montgomery County Museum, presented copies of the Montgomery County History Book entitled “*Virginia’s Montgomery County*” to Board members. This book is a comprehensive history that covers the geography and prehistory of the land that became Montgomery County. It explores the settlement and progress from colonial times to the present and includes chapters on local legends and well-known folk artist Lewis Miller. The cover illustration features the Great Road, a mural installed in the Christiansburg Post Office in 1939.

Mr. Poff thanked the Board for allowing them the opportunity to create a history of Montgomery County. He also thanked the History Book Committee and County staff, Joe Powers, Chris Valluzzo, and Ruth Richey; and Allan Burke, previous Clerk of Circuit Court and Erica Williams, current Clerk.

Montgomery County Chamber of Commerce

Aradia Zenobia, Interim Director of the Montgomery County Chamber of Commerce, addressed the Board regarding the 2010 Virginia Travel Guide Magazine. Ms. Zenobia reported that the Montgomery County Chamber of Commerce in years past placed a tourism advertisement in the magazine promoting Montgomery County. The Chamber receives 20,000 – 30,000 leads per year from this advertisement and is considered a great marketing tool. She requested that the Board consider releasing one time funds to help cover the cost of the ad, which is estimated at \$16,000. This will be shared by Montgomery County, Town of Blacksburg and Town of Christiansburg.

The Board of Supervisors discussed this request and agreed that this is a great marketing tool to promote Montgomery County. The Board agreed to provide funding contingent upon the two Towns approval to provide their share of the cost of the advertisement.

**R-FY-10-37
MONTGOMERY COUNTY
TOURISM DEVELOPMENT COUNCIL
2010 VIRGINIA TOUR GUIDE MAGAZINE**

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

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes the use of the 1% of the transient occupancy tax dedicated to tourism activities for an ad in the 2010 Virginia Travel Guide Magazine by the Montgomery County Chamber of Commerce Tourism Development Council to cover the County's share of the cost of the ad contingent upon the Town of Blacksburg and Town of Christiansburg providing their share of the cost of the advertisement.

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	

PUBLIC HEARINGS

The following public hearing was continued from the Board's July 27, 2009 meeting:

Rezoning & Special Use Permit – S&P of Virginia

A request by S&P of Virginia, LLC (Agent: Balzer & Associates) for rezoning of approximately 21.13 acres from Agriculture (A1) to General Business (GB) and 14.19 acres from Agriculture (A1) to Residential (R3), with possible proffered conditions, to allow various commercial uses and single family residential dwellings. In addition, a special use permit is requested in the General Business (GB) district to allow a convenience store with motor fuel sales. The property is located on the southwest corner of the I-81 Exit 109 and Tyler Road (Rte. 600) intersection, 2735 Tyler Road, identified as Tax Parcel No(s). 104-A-32, 32A, 33 and 104-7-A, (Acct Nos. 018647, 011957, 019186, 023358), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and further designated as Planned Commercial and Planned Unit Residential in the Route 177 Corridor Plan with a maximum density of four (4) dwelling units per acre.

Kevin Byrd, Comprehensive Planner, provided a combined summary of the three requests before reporting on the individual requests separately. Mr. Byrd reported this is one of three public hearings before the Board tonight requesting rezoning and special use permits in the 177 Corridor. The three rezoning requests are located on Tyler Avenue just off the I-81 Radford 109 Exit. All three parcels are located in the urban expansion area as designated in the County's comprehensive plan. All three public hearings were continued from the Board of Supervisors July 27, 2009 meeting in order for staff to meet with the developers and agent to develop a plan for transportation and water and sewer issues.

Water and Sewer: After reviewing all three plans it was determined that there is enough water capacity to serve the entire 177 Corridor; however, there is not enough sewer capacity.

Montgomery County is negotiating with the City of Radford to increase the capacity of wastewater treatment in the 177 Corridor in order to provide sewer service for the proposed development site. Currently the total capacity is 250,000 gallons per day (gpd) for the 177 Corridor with an estimated 182,000 gpd needed for all three proposed developments, leaving a deficit of 80,000 gpd after taking into account the total needed for the existing businesses in the area.

Transportation: A traffic impact analysis was prepared by Balzer and Associates for the proposed development. This report was submitted to the Virginia Department of Transportation in accordance to state regulations. VDOT reviewed the report and made revisions to the transportation plans. A proposed roundabout on Tyler Road will be constructed to address transportation issues with all three developments. It will be constructed and approved by VDOT. The roundabout will be constructed to handle school buses and fire/rescue vehicles. Also proposed is a connector road, connecting Bains Chapel Road with Tyler Road. There will be improvements on the main road and entrance at Bains Chapel Road. This will provide another entrance to the S&P development.

Mr. Byrd provided a summary of the S&P of Virginia, LLC's proposed development. S&P of Virginia, LLC is seeking to rezone approximately 35.3 acres from Agriculture to a mix of Residential (R-3) and General Business. They are proposing to develop the site with a restaurant, gas station, a hotel, medical offices and mix business use and 40 single family residences. The mixed business would consist of assisted living facilities with medical offices.

At their July 15, 2009 meeting, the Planning Commission recommended approval of the request.

Steve Semones, Balzer & Associates, agent for the developer addressed the Board. Mr. Semones reported that Balzer & Associates is the agent for all three proposed developments in the 177 Corridor/Tyler Avenue area. They have been working with the developers for two years developing plans before submitting them to the County. Mr. Semones commended VDOT on working with them on the transportation issues on Tyler Road and Bains Chapel Road. He also commended the Planning Commission and County staff for all their help.

He commented all three developers have come together to work on issues in order to get all three projects moving forward. These projects tie in with future plans for the 177 Corridor.

At this time the Chair asked the Board members if they had any questions for the agent.

Supervisor Brown asked if any consideration was given to the impact of fire and rescue services in the 177 Corridor.

Mr. Semones replied that they did talk to Charlie Moles with the Riner Volunteer Fire Department, who expressed the need for a larger building for the fire department in the future. However, the County's Capital Improvement Plan (CIP) does not include a new fire station for the Riner area. The developers did not include in the proffers to provide land for a future fire station in the 177 Corridor.

Supervisor Biggs asked if land could be reserved for a fire station in the future. Mr. Semones replied it was his understanding under state code that they cannot proffer to reserve land for a capital project if it is not already included in the County's CIP. He also stated that full project build-out is 5-6 years away and until they have a final plat showing where all the building are to be located there is no way of knowing what land could be reserved.

Kevin Byrd also commented that the Planning Commission discussed this at their meeting. He stated there is a Mutual Aid Agreement in place between the City of Radford, Montgomery County and the Town of Christiansburg for providing aid to each other.

The Chair at this time opened the public hearing.

Davie Joyce urged the Board to control what is constructed in these proposed developments. He also stressed the need for public safety during construction due to heavy equipment/trucks along Tyler Road near the hospital. Mr. Joyce asked that Bains Chapel Road not be used for construction access to the property as there is already heavy traffic on Bains Chapel Road.

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

The following public hearing was continued from the Board's July 27, 2009 meeting:

Rezoning Request – Emerald Investors, Inc.

A request by Emerald Investors, Inc (Agent: Balzer & Associates) for rezoning of approximately 9.44 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow retail sales and commercial offices. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located approximately 500 ft. southwest of the I-81 Exit 109 and Tyler Road intersection, 2843 Tyler Road, identified as Tax Parcel No(s). 104-A-30 (Acct Nos. 011606), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

Kevin Byrd, County's Comprehensive Planner, summarized the rezoning request by Emerald Investors, Inc. Emerald Investors is proposing the development of a 5,000 square foot gas/convenience station with 8 fuel islands and a 20,000 s.f. 2 story retail and office building. This will be done in two phases. The first phase will be the construction of the gas station and the second phase the retail/office building.

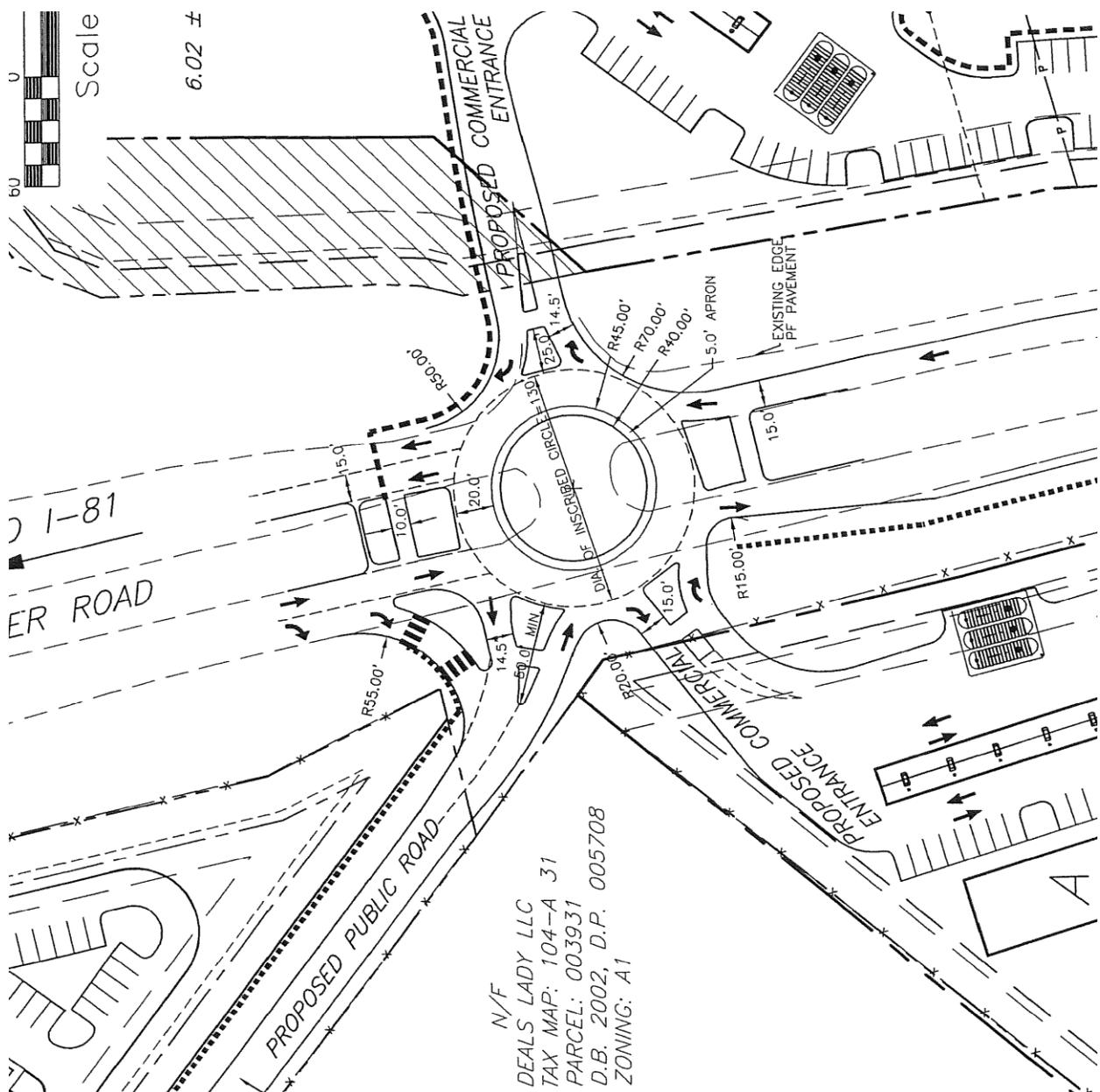
The proposed development will have two entrances/access points into the property. The first entrance will be off Tyler Road at the location of the existing driveway. The second entrance will be off Tyler Road also, directly across from Barn Road. Both entrances will be designed to VDOT standards. The first entrance will use the proposed roundabout.

Supervisor Muffo asked who would fund the roundabout. Mr. Byrd replied that the developers will cover the cost of the construction of the roundabout and upgrades along Tyler Road for the proposed development.

Steve Semones, agent, addressed the Board on the Emerald Investors, Inc. rezoning request. Mr. Semones explained this request is keeping with the two other rezoning requests by requesting a zoning change to General Business to allow for the future land use that is keeping with the County's Comprehensive Plan and 177 Corridor Plan. They have worked with all three developers to work out the sewer capacity issues and transportation issues.

Mr. Semones stated that when working with VDOT, each of the three projects had to be submitted as a separate project but VDOT also wanted a full project report on how all three projects would affect the traffic flow. The developers will fund the cost of the proposed roundabout which will have to be constructed before any construction begins.

A picture of the proposed roundabout is below:



The Chair opened the public hearing.

There being no speakers, the public hearing was closed.

The following public hearing was continued from the Board's July 27, 2009 meeting:

Rezoning and Special Use Permit – Roger Woody

A request by Roger Woody (Agent: Balzer & Associates) for rezoning of approximately 6.0184 acres from Agriculture (A1) to General Business (GB), with possible proffered conditions, to allow hotel and restaurant uses. In addition, a special use permit is requested to allow a convenience store with motor fuel sales. The property is located on the southeast corner of the intersection of Tyler Road (Rt. 600) and Meadow Creek Road (Rt. 658), identified as Tax Parcel No(s). 104-4-47 (Acct Nos. 002244), in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan and Planned Commercial in the Route 177 Corridor Plan.

Kevin Byrd, Comprehensive Planner, summarized the request by Roger Woody. The proposed development contains a 4,000 s.f. convenience store with fuel sales with 4 fuel islands, an 86 room hotel, a full-service restaurant with a drive-thru and a full service restaurant without a drive-thru.

This project proposes two access points to the property. One entrance is proposed to be constructed at the crossover of Meadow Creek Road and Tyler Road and would be a full-access intersection. A second entrance proposed is a right-in/right-out commercial entrance. As part of this application, Meadow Creek Road is proposed to be closed at the intersection of Tyler Road and the existing traffic would be re-routed to an upgraded Barn Road. The existing Meadow Creek intersection with Tyler Road would be converted into a commercial entrance for the development. This commercial entrance would tie into the proposed roundabout to be constructed on Tyler Road.

To assist with the implementation of closing Meadow Creek Road and upgrading Barn Road, the applicant has proffered to participate in the project by paying 50% of the construction costs. The improvements needed for Barn Road included roadway realignment to meet VDOT curve radius standards and upgrading from a gravel surface to asphalt. This project was added to the Board of Supervisors Revenue Sharing Project several years back, where VDOT will pay 50% of the cost and the developer will pay 50%.

Supervisor Creed asked when the improvements to Barn Road will begin and in the event of cost overruns, who will fund the overage. Steve Sandy, Planning Director, replied that all road improvements to Barn Road will need to be completed before this development can begin. Any cost overruns will have to be covered by either the County or the developer.

Steve Semones, Balzer & Associates, agent for the developer, addressed the Board. Mr. Semones explained the realignment of Barn Road and the closure of Meadow Creek Road at the intersection of Tyler Road. The exiting entrance to Meadow Creek Road will be the entrance to the new development.

Roger Woody, applicant, commented the first phase of his development is to improve Barn Road. The upgrade will begin as soon as VDOT approves the design and gives permission to proceed. The Chair opened the public hearing for comments.

There being no speakers, the public hearing was closed.

Ordinance Amending Chapter 10, Section 10-37, Entitled Zoning

An ordinance amending Chapter 10 Entitled Zoning, Section 10-37 of the Code of the County of Montgomery, Virginia by amending the Flood Damage Prevention Overlay by reorganizing the ordinance and specifying standards that apply to the different flood hazard areas.

Steve Sandy, Planning Director, explained the changes to the Zoning Ordinance. The Federal Emergency Management Agency (FEMA) requires all local ordinances relating to flood damage prevention be consistent with federal regulations. The changes to the County's ordinance is to update the code to the federal regulations. Both the Virginia Department of Conservation and Recreation (DCR) and FEMA have reviewed the County's Ordinance and provided additional changes, which have been included.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Roger Lewis addressed the Board with the suggestion of converting the old Blacksburg Middle School property into a casino by offering the title to a joint tribal council for a sale price of \$1 and a share of upcoming revenues.

There being no further speakers, the public address session was closed.

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Consent Agenda dated August 24, 2009 was approved:

The vote on the foregoing motion 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	

Approval of Minutes

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the minutes dated April 27, 2009 and May 6, 2009 were approved.

Appropriations and Transfers

A-FY-10-30 SHERIFF RECOVERED COST

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:

310	Sheriff – Comp Board	\$3,210
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
419108	Recovered Costs
	\$3,210

Said resolution appropriates recovered costs for use by the Sheriff's department.

**A-FY-10-31
FIRE AND RESCUE
MINI GRANT**

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:

111	Emergency Services Grants	\$1,020
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424401	Mini Grant	\$1,020

Said resolution appropriates mini grant training funds as authorized by the Virginia Department of Fire Programs.

OLD BUSINESS

**ORD-FY-10-09
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**

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

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 2, Article I entitled Administration, Section 2-12 of the Code of the County of Montgomery, Virginia, shall be amended and reordained as follows:

Sec. 2-12. ~~Industrial development authority.~~ Economic Development Authority.

(a) *Created.* There is hereby created a political subdivision of the state with such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act (Chapter 49, Title 15.2, Code of Virginia, 1950, as amended).

(b) *Name.* The name of the political subdivision of the state hereby created shall be the ~~Industrial Development Authority~~ Economic Development Authority of Montgomery County, Virginia.

(c) *Directors.* The authority shall be governed by a board of seven (7) directors to be appointed by the board of supervisors for staggered terms of four (4) years.

The vote on the foregoing ordinance 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	

ORD-FY-10-10
AN ORDINANCE AMENDING CHAPTER 10 ENTITLED ZONING,
SECTION 10-37 OF THE CODE OF THE COUNTY OF MONTGOMERY VIRGINIA,
BY AMENDING THE FLOOD DAMAGE PREVENTION OVERLAY BY
REORGANIZING THE ORDINANCE AND SPECIFYING STANDARDS THAT APPLY
TO THE DIFFERENT FLOOD HAZARD AREAS

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 10, entitled Zoning Section 10-37 of the Code of the County of Montgomery, Virginia, shall be amended and reordained as follows:

Sec. 10-37. Flood damage prevention overlay.

Article I – General Provisions

~~(1)~~ Section 1.1 Purpose. These provisions are created to regulate and restrict land use in areas which are subject to severe periodic inundation, in such a manner as to: (1) prevent the loss of life and property, (2) comply with federal and state laws and regulations that address the need for floodplain management and regulation, (3) qualify Montgomery County residents for the insurance and subsidies provided by the National Flood Insurance Program, (4) conserve the natural state of watercourses and watersheds, and minimize the damaging effects which development has on drainage conditions, pollution of streams, and other environmental impacts on water resources, (5) reduce the disruption of commerce and governmental services, (6) reduce the extraordinary and unnecessary expenditure of public funds for flood protection, rescue and relief, and (7) minimize the impairment of the tax base by:

- (a) Regulating uses, activities and development which, alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies;
- (b) Restricting or prohibiting certain uses, activities and development from locating within districts subject to flooding;
- (c) Requiring all those uses, activities and developments that do occur in flood prone districts to be protected and/or flood proofed against flooding and flood damage;
- (d) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

~~(2)~~ Section 1.2 Authority. Authority for these provisions includes:

- (a) Flood Damage Reduction Act, Code of Virginia, §10.1-600 et seq.
- (b) Planning, Subdivision of Land and Zoning, Code of Virginia, Title 15.2, Chapter 22.
- (c) Soil Conservation Districts Law, Code of Virginia, §10.1-506 et seq.
- (d) Erosion and Sediment Control Act, Code of Virginia, §10.1-560 et seq.
- (e) National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq.

~~(3)~~ Section 1.3 Compliance and liability.

- (a) No land shall hereafter be developed, and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this article and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this article.
- (b) The degree of flood protection sought by the provisions of this article is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This article does not imply that districts outside the floodplain district or that land uses permitted within such district will be free from flooding or flood damages.
- (c) This article shall not create liability on the part of Montgomery County or any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

- (d) Records of actions associated with administering this ordinance shall be kept on file and maintained by the zoning administrator.

~~(4)~~Section 1.4 *Qualifying/regulated lands.*

- (a) These provisions shall apply to all lands within the jurisdiction of Montgomery County and identified as being in the one hundred-year floodplain by FEMA (Federal Emergency Management Administration), Federal Insurance Administration.

~~(9)~~Section 1.5 *Penalty for Violations.* Any person who fails to comply with any of the requirements or provisions of this section shall be subject to the enforcement and penalties contained in Section 10-52(2) of this Zoning Ordinance.

Article II – Establishment of Flood Plain Districts

Section 2.1- Description of Districts

~~(b)~~ (a). Basis of districts. The basis for the delineation of districts shall be the Flood Insurance Study and the Flood Insurance Rate Maps (FIRM) for Montgomery County, prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated September 25, 2009, as amended, which said Flood Insurance Study and Flood Insurance Rate Map are hereby incorporated and made a part of the official zoning map and this Ordinance. The boundaries of the special flood hazard area and floodplain districts are established as shown on the Flood Insurance Rate Map (FIRM) a copy of which shall be kept on file at the Montgomery County Planning Department offices.

~~(e)~~1. The Floodway District is delineated, for purposes of this section, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one hundred-year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this district are specifically defined in Table 2 of the above-referenced flood insurance study and shown on the accompanying Flood Insurance Rate Map (FIRM).

~~(d)~~2. The Special Floodplain District shall be those areas identified as an AE Zone on the maps accompanying the Flood Insurance Study for which one hundred (100)-year flood elevations have been provided.

~~(e)~~3. The Approximated Floodplain District shall be those areas identified as an A or A99 Zone on the maps accompanying the Flood Insurance Study. In these zones, no detailed flood profiles or elevations are provided, but the one hundred (100)-year flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one hundred (100)-year flood elevation cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Flood Plain Information Reports, U.S. Geological Survey Flood-prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Zoning Administrator.

~~(f)~~4. The Shallow Flooding District shall be those areas identified as Zone AO or AH on the Flood Insurance Rate Maps.

(b). Overlay Concept. The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map and as such the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions. If there is any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts should apply.

~~(5)~~Section 2.2 District boundary changes. The delineation of any of the floodplain districts may be revised where natural or manmade changes have occurred and/or where more detailed studies have been conducted or undertaken by the United States Army Corps of Engineers or other qualified agency, or an individual documents the need for such changes. However, prior to any such change, written approval must be obtained from the Federal Insurance Administration and the Montgomery County Zoning Administrator must receive official notification of any such changes. Any such changes must be formally recorded on appropriate maps approved by the Federal Insurance Administration and submitted to the zoning administrator.

Section 2.3 – Submitting Technical Data. A Community’s base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall notify the Federal Insurance Administration of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and flood plain management requirements will be based upon current data.

~~(6) — Uses permitted by right. —~~

Article III – District Provisions

Section 3.1 – Permit and Application Requirements.

~~7(d)~~(a). Permit Requirements. All uses, activities, and development occurring within any floodplain district shall be undertaken only upon the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the Montgomery County Subdivision Ordinance. Prior to the issuance of any such permit, the Zoning Officer shall require all applications to include compliance with all applicable state and federal laws.

(b). All applications for development within any floodplain district and all building permits issued for the floodplain shall incorporate the following information in addition to information normally required for such applications:

1. The elevation of the Base Flood at the site;
2. For structures that have been elevated, the elevation of the lowest floor (including basement);
3. For structures that have been flood proofed (nonresidential only), the elevation to which the structure has been flood proofed;
4. The elevation of the one hundred-year flood; and
5. Topographic information showing existing and proposed ground elevations.
6. All required information shall be recorded on an elevation certificate or flood proofing certificate approved by the zoning administrator. The certificate shall be completed by a licensed surveyor, licensed engineer, or licensed architect, and shall be recorded with the clerk of circuit court prior to the issuance of an occupancy certificate.

Section 3.2 – General Standards. In all special flood hazard areas the following provisions shall apply:

- (a). New construction and substantial improvements shall be according to the VA USBC, and anchored to prevent flotation, collapse or lateral movement of the structure.
- (b). Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movements. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

- (c). New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (d). New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (e). Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (f). New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (g). New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (h). On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (i). Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance.
- (j). Any Alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
- (k). Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U.S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, notification of the proposal shall be given by the application to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and the Federal Insurance Administration.
- (l). The flood carrying capacity within altered or relocated portion of any watercourse shall be maintained.

Section 3.3 - *Specific Standards*. In all special flood hazard areas where base flood elevations have been provided in the Flood Insurance Study or generated according to Article III, Section 3.6, the following provisions shall apply:

- (a). Residential Construction – New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the base flood elevation.
- (b). Non-Residential Construction – New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one (1) foot above the base flood elevation. Buildings located in all A 1-30, AE, and AH zones may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus one foot are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.
- (c). Elevated Buildings – Enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:
 - 1. not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage doors) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).

2. be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
3. include, in Zones A, AO, AE, and A 1-30, measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwater. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
 - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.
 - c. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
 - d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.
 - e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow or floodwaters in both directions.
 - f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

~~7(e)~~(d). *Manufactured Homes.* All manufactured homes placed or substantially improved on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood within the floodplain district shall be placed on a permanent foundation supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and elevated and anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement in accordance with the Virginia Uniform Statewide Building Code. All such mobile homes must provide an elevation certificate that conclusively demonstrates that the dwelling or structure is at least one (1) foot above the base flood elevation.

(e). *Recreational Vehicles.* All recreational vehicles placed on sites must either be on the site for fewer than 180 consecutive days; be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or meet all the requirements of manufactured homes in Article 3, Section 3.3. (d).

~~(a)~~Section 3.4 - Standards For The Floodway District.

- ~~1~~(a). Encroachments including fill, new construction, substantial improvements and other development are prohibited, unless certification (with supporting technical data) by a registered professional engineer is provided to the zoning administrator demonstrating through hydrologic and hydraulic analyses that such encroachment would not result in any increase in the one hundred-year flood elevation.
- 2(b). The following uses and activities are permitted, provided that they are in compliance with the provisions of the underlying zoning district and are not prohibited by any other ordinances and provided that they do not require structures, fill, or storage of materials and equipment:
 - ~~a~~1. Agricultural uses, such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting;
 - ~~b~~2. Public and private recreational uses and activities, such as parks, play areas of a natural, permeable nature, day camps, picnic grounds, golf

courses, boat launching and swimming areas, horseback riding and hiking trails, wildlife and nature preserves, game farms, trap and skeet game ranges, and hunting and fishing areas;

- e3. Fisheries uses such as fish hatcheries and harvesting;
- d4. Stormwater management improvements associated with uses permitted by right in the overlay district;
- e5. Utility lines, road crossings, private drives and private access easements not resulting in an increase in the water surface elevation of the base flood affecting existing buildings and structures;
- f6. Temporary storage of material or equipment necessary in the construction of uses permitted by right in the overlay district;
- g7. Accessory residential uses, such as yard areas, gardens, play areas and loading areas;
- h8. Accessory industrial and commercial uses, such as yard areas, parking and loading areas, airport landing strips, etc.
- i9. Expansion or enlargement of existing structures and/or uses up to one hundred (100) percent of structure floor area if the effect on flood heights is fully offset by accompanying improvements that are designed by and certified by a professional engineer;
- j10. Repairs, restoration and maintenance, including structural repairs may be made to a nonconforming structure only when the cost of the work does not exceed fifty (50) percent of the current fair market value and the work does not increase the cubic content volume of the nonconforming structure. Cost of the land shall not be considered in when determining the fair market value of the nonconforming structure. If a nonconforming structure is damaged or destroyed, the repair or restoration work shall commence within six (6) months of the date the damage occurred and complete the repair or restoration shall be completed within twenty-four (24) months of starting construction or the nonconforming use will be deemed abandoned.

(b) ~~*Flood-Fringe and Approximated Floodplain Districts.* All uses, activities and/or development shall be undertaken in strict compliance with the flood proofing and related provisions contained in the Virginia Uniform Statewide Building Code and all other applicable codes and ordinances.~~

(c) The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring, elevation and encroachments standards are met.

~~(7) Use limitations.~~

(a) ~~*Generally.* Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility. New or replacement dwellings or other structures in floodplain or floodway areas and not provided for in subsection (6)(a)2. must provide an elevation certificate that conclusively demonstrates that the lowest floor, including basement of the dwelling or structure is at least one (1) foot above the base flood elevation. Interior repairs and renovations to such dwellings and structures are not restricted. Prior to the issuance of any permit, the zoning administrator and building official shall require all applications to demonstrate compliance with all applicable county, state and federal laws or system.~~

(b) ~~*Alteration or relocation of watercourse.* Alteration of or relocation of watercourse shall not result in increase of off-site water surface elevation of or rise in water surface elevation of the base floodplain as defined in the FEMA (flood insurance) study. Prior to any proposed alteration or relocation of any channels or of any watercourse, within the County of Montgomery, a permit shall be obtained from the United States Army Corps of Engineers, the Virginia State Water Control Board Department of Environmental Quality, and the Virginia~~

~~Marine Resources Commission (a joint permit application is available from any of these organizations). Further, notification of the proposal shall be given by the applicant to the county, to all affected adjacent jurisdictions, the division of Dam Safety and Floodplain Management, Department of Conservation and Recreation, and the Federal Insurance Administration.~~

~~(e) *Applications for alteration.* Applications for any alteration must be submitted as part of any other land development applications.~~

~~(f) *Design criteria for utilities and facilities.*~~

- ~~1. *Sanitary sewer facilities.* All new or replacement sanitary sewer facilities and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters. In addition, they should be located and constructed to minimize or eliminate flood damage and impairment.~~
- ~~2. *Water facilities.* All new or replacement water facilities including distribution line shall be designed to minimize or eliminate infiltration of floodwaters into the systems and be located and constructed to minimize or eliminate flood damages.~~
- ~~3. *Drainage facilities.* All storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The systems shall ensure drainage away from buildings and on-site waste disposal sites. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.~~
- ~~4. *Utilities.* All utilities, such as gas lines, electrical and telephone systems, being placed in flood prone areas should be located, elevated (where possible [and appropriate]) and constructed to minimize the chance of impairment during a flooding occurrence.~~
- ~~5. *Streets and sidewalks.* Streets and sidewalks should be designed to minimize their potential for increasing and aggravating the levels of flood flow. Drainage openings shall be required to sufficiently discharge flood flows without unduly increasing flood heights.~~

Section 3.5 Standards for The Special Floodplain District. The following provisions shall apply within the Special Floodplain District:

Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as Zones A1-30 and AE on the Flood Rate Insurance Map, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the County of Montgomery.

Development activities in Zones A1-30, AE, and AH, on the County's Flood Insurance Rate Map which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the developer or applicant first applies – with the County's endorsement – for a conditional Flood Insurance Rate Map revision, and receives the approval of the Federal Emergency Management Agency.

Section 3.6 – Standards for Approximated Floodplain. The following provisions shall apply with the Approximate Floodplain District:

The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one hundred (100)-year floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the Flood Insurance Study. For these areas, the one hundred (100)-year flood elevations and floodway information from federal, state, and other acceptable sources shall be used, when available. Where the specific one hundred (100)-year flood elevation cannot be determined for this area using other sources of data, such as the U.S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the

proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the County.

When such base flood elevation data is utilized, the lowest floor shall be one (1) foot above the base flood elevation. During the permitting process, the applicant/property owner shall obtain:

- 1) the elevation of the lowest floor (including the basement) of all new and substantially improved structures; and
- 2) if the structure has been flood-proofed in accordance with the requirements of this article, the elevation to which the structure has been flood-proofed.

Section 3.7 – Standards for the Shallow Flooding District. The following provisions shall apply within the Shallow Flooding District:

- (a). All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the flood depth specified on the Flood Insurance Rate Map, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least two feet (recommend \geq one foot freeboard) above the highest adjacent grade; or,
- (b). All new construction and substantial improvements of non-residential structures shall:
 1. have the lowest floor, including basement, elevated to or above the flood depth specified on the Flood Insurance Rate Map, above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least two feet (recommend \geq one foot freeboard) above the highest adjacent grade; or,
 2. together with attendant utility and sanitary facilities be completely flood-proofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- (c). Adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures.

Section 3.8 – Standards for Subdivision Proposals.

- (a). All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b). All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (c). All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and
- (d). Base flood elevation data shall be provided for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.

Article IV – Variances; Factors To Be Considered~~(8) — *Special variance factors to be considered by Board of Zoning Appeals.*~~

(a) In passing upon applications for variances, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of this chapter and consider the following additional factors:

1. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development or activity within any floodway district that will cause any increase in the one hundred-year flood elevation.
2. The danger that materials may be swept onto other lands or downstream to the injury of others.
3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
5. The importance of the services provided by the proposed facility to the community.
6. The requirements of the facility for a waterfront location.
7. The availability of alternative locations not subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
10. The safety of access by ordinary and emergency vehicles to the property in time of flood.
11. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
12. The repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
13. Such other factors which are relevant to the purposes of this article.

(b) The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities and the adequacy of the plans for flood protection and other related matters.

(c) Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (1) unacceptable or prohibited increases in flood heights; (2) additional threats to public safety; (3) extraordinary public expense; and will not (4) create nuisances; (5) cause fraud on or victimization of the public; or (6) conflict with local laws or ordinances. Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief and that the failure to grant the requested variance would result in hardship to the applicant.

(d) The Board of Zoning Appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the one hundred-year flood elevation increases the risks to life and property and will result in increased premium rates for flood insurance.

(e) A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances which are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

Article VI – Existing Structures in Floodplain Areas

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions but which is not in conformity with these provisions may be continued subject to the following conditions:

1. Existing structures in the Floodway Area shall not be expanded or enlarged unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard emergency practices that the proposed expansion would not result in any increase in the base flood elevation.
2. Any modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use located in any floodplain areas to an extent or amount of less than fifty (50) percent of its market value shall conform to the VA USBC.
3. The modifications, alterations, repair, reconstruction or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with this ordinance and shall require the entire structure to conform to the VA USBC.

Article VI - Definitions

~~(10)~~ *Definitions.* For the purpose of this Flood Damage Prevention Overlay Ordinance, the following words and phrases shall have the meanings respectfully ascribed to them by this section. Any word, term or phrase used in this Overlay Ordinance not defined below shall have the meaning ascribed to the word in Section 10-61 of the Zoning Ordinance or if not defined there then in the most recent edition of Webster's unabridged Dictionary, unless in the opinion of the Zoning Administrator established customs or practices of the County of Montgomery justify a different or additional meaning.

*Base flood** - The flood having a one percent chance of being equaled or exceeded in any given year.

*Base flood elevation** - The Federal Emergency Management Agency designated one hundred (100)-year water surface elevation.

*Basement** - Any area of the building having its floor sub-grade (below ground level) on all sides.

*Board of Zoning Appeals** - The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance.

*Development** - Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Elevated building** - A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

*Encroachment** - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

*Existing manufactured home park or subdivision** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision** - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Flood or flooding** -

1. A general or temporary condition of partial or complete inundation of normally dry land areas from
 - a. the overflow of inland or tidal waters; or,
 - b. the unusual and rapid accumulation or runoff of surface waters from any source.
2. The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves

or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph 1 (a) of this definition.

3. Mudflows which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

*Floodplain or flood-prone area** - Any land area susceptible to being inundated by water from any source.

Floodproofing – any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodway** - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Flood Insurance Rate Map (firm)*- An official map of a community on which both the special hazard areas and the risk premium zones applicable to the community are delineated.

*Freeboard** - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

Highest Adjacent Grade – the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure** - Any structure that is

1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either
 - a. by an approved state program as determined by the Secretary of the Interior; or,
 - b. directly by the Secretary of the Interior in states without approved programs.

*Lowest floor** - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.

*Manufactured home** - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes

park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

*Manufactured home park or subdivision** - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Manufactured home park or subdivision, New** - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*New construction** - For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map on or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*Recreational vehicle** - A vehicle which is

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light duty truck; and,
4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

*Shallow flooding area** - A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Special flood hazard area** - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.2 of this ordinance.

*Start of construction** - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure** - for flood plain management purposes a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home. Structure for insurance coverage purposes means a walled and roofed building, other than a gas or liquid storage tank that is principally above and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

*Substantial damage** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal

or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement** - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:

1. any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

*Watercourse** - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

* Denotes definitions to be used only for the purpose of this Flood Damage Prevention Overlay Ordinance, the words and phrases shall have the meanings respectfully ascribed to them by this section.

The vote on the foregoing ordinance was as follows:

AYE

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

NAY

None

NEW BUSINESS

**R-FY-10-31
RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MONTGOMERY, VIRGINIA
APPROVING LITERARY FUND LOAN APPLICATION AND
DECLARING ITS INTENTION TO REIMBURSE ITSELF
FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT
FINANCINGS FOR MONTGOMERY COUNTY SCHOOL FACILITIES**

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

WHEREAS, The Montgomery County School Board presented to the Board of Supervisors (**the "Board of Supervisors"**) of the County of Montgomery, Virginia (**the "County"**) an application addressed to the Virginia Board of Education for the purpose of borrowing \$7,500,000 from the Literary Fund for the purpose set out in said application for New Prices Fork Elementary School (**the "Project"**) to be paid in 20 annual installments, and the interest thereon at 3 percent paid annually; and

WHEREAS, The County has paid beginning no earlier than 60 days prior to the date of adoption of this resolution, and will pay, on and after the date hereof, certain expenditures (**"Expenditures"**) for the acquisition, construction, renovation and equipping of the Project; and

WHEREAS, The Board of Supervisors has determined that those moneys previously advanced no earlier 60 days prior to the date of adoption of this resolution and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of one or more issues of tax-exempt financing or bonds (**together, the “Bonds”**).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS AS FOLLOWS:

Section 1. That the application of the Montgomery County School Board (**the “School Board”**) to the Virginia Board of Education for a loan of \$7,500,000 from the Literary Fund is hereby approved, and authority is hereby granted to the School Board to borrow \$7,500,000 for the purpose set out in said application.

Section 2. The Board of Supervisors will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

Section 3. The Board of Supervisors hereby declares the County’s intent to reimburse the County with the proceeds of the Bonds for the Expenditures with respect to the Project made on and after the dates referenced above. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 4. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditures), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the County so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County.

Section 5. The maximum principal amount of the Bonds expected to be issued for the Project is \$26,872,000.

Section 6. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County’s use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers” (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

This resolution shall take effect immediately upon its passage.

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	
Gary D. Creed	
William H. Brown	
Annette S. Perkins	

R-FY-10-32
RESOLUTION ESTABLISHING THE
PERSONAL PROPERTY TAX RELIEF
PERCENTAGE FOR 2009

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

WHEREAS, The Personal Property Tax Relief Act of 1998, Virginia Code §58.1-3523, et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS, These legislative enactments required the County of Montgomery, Virginia, to take affirmative steps to implement these changes and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, These legislative enactments provide for the appropriation to the County of Montgomery, Virginia, commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles and provide the opportunity for the County of Montgomery, Virginia, to fashion a program of tax relief that serves the best interest of its citizenry; and

WHEREAS, The Board of Supervisors adopted an ordinance to implement the changes to PPTRA affected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia on November 28, 2005.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the rate of 100% of relief shall be applied to each qualifying vehicle valued at \$1,000 or less and that the rate of 65.16% shall be applied to the first \$20,000 in value of each qualifying vehicle with a value above \$1,000. Those rates of relief are estimated to exhaust PPTRA relief funds available to the County of Montgomery, Virginia, by the Commonwealth of Virginia for Tax Year 2009.

FURTHER BE IT RESOLVED, That any amount of PPTRA relief not used within the County of Montgomery's Fiscal Year shall be carried forward and used to increase the funds available for personal property tax relief in the following Fiscal Year.

The vote on the foregoing resolution 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	

R-FY-10-33
RESOLUTION SUPPORTING
COUNTY PARTICIPATION IN THE PROPOSED
EMERGENCY COMMUNICATIONS REGIONAL AUTHORITY

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

WHEREAS, It is the goal of the Board of Supervisors of the County of Montgomery, Virginia to provide a responsive and efficient means of handling 9-1-1 emergency communications to better serve the Citizens of the County of Montgomery, Virginia; and

WHEREAS, The Board of Supervisors recognizes that cooperation with local jurisdictions is essential to best achieve said goal; and

WHEREAS, The Board of Supervisors has been made aware of the study and findings of the “New River Regional 9-1-1 Emergency Communications Consolidation Feasibility Study” and that the Sheriff of Montgomery County supports the recommendation of said study; and

WHEREAS, The Board of Supervisors agrees with the recommendations of the said study and has determined that participation in a consolidated 9-1-1 emergency communications center with the Town of Blacksburg, the Town of Christiansburg and Virginia Polytechnic Institute and State University is in the best interest of the County of Montgomery.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to commit to participate in the establishment of a Regional 9-1-1 Emergency Communications Authority, conditioned upon approval of the Board of Visitors of Virginia Polytechnic Institute and State University, the approvals of the local governing bodies of the Town of Blacksburg and the Town of Christiansburg, and conditioned upon the Virginia General Assembly’s passing of enabling legislation permitting the formation of the anticipated Authority.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the County Administrator to commit resources, procure services and enter into agreements that further the progress of the formation of the Authority.

The vote on the foregoing resolution was as follows:

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

R-FY-10-34
RESOLUTION OF APPRECIATION
ADJUSTMENT AND APPEALS BOARD
E. MARIA ROTH

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

WHEREAS, E. Maria Roth has served the citizens of Montgomery County as a representative on the Adjustment and Appeals Board from August 16, 2001 through August 22, 2009; and

WHEREAS, The County recognizes **E. Maria Roth’s** dedication to the community and her willingness to serve the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the citizenship, extends a unanimous vote of appreciation and gratitude to **E. Maria Roth.**

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **E. Maria Roth** 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>
John A. Muffo	None
Gary D. Creed	
William H. Brown	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	

**R-FY-10-35
RESOLUTION OF APPRECIATION
SOCIAL SERVICES BOARD
ANN L. HESS**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Ann L. Hess has faithfully and conscientiously served as a member of the Social Services Board since July 21, 2001; and

WHEREAS, Ann L. Hess served as Chair of the Social Services Board from September 2002 through July 25, 2009; and

WHEREAS, Ann L. Hess has consistently demonstrated those essential qualities of leadership, diplomacy, perseverance, and dedication while providing exceptional service to the citizens of Montgomery County while serving as a member of the Social Services Board; and

WHEREAS, The Board of Supervisors recognizes the hard work and dedication *Ann L. Hess* has demonstrated in her years of service to the Montgomery County community.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to *Ann L. Hess* for her outstanding dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to *Ann L. Hess* as a testimonial of the high esteem and appreciation in which she is regarded by the members of 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	

**R-FY-10-36
PROCLAMATION
NATIONAL ALCOHOL AND
DRUG ADDICTION RECOVERY MONTH
SEPTEMBER 2009**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Treatment and recovery improve the community's welfare and provide a renewed outlook on life for those who struggle with substance use disorders and their family and friends; and

WHEREAS, 23.2 million people aged 12 or older in the United States needed treatment for a substance use disorder in 2007, and 5.4 million adults also suffered from a concurrent mental illness; and

WHEREAS, Studies have indicated that 8.9 percent of people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors or community members to have negative opinions of them; however, most say they would not have a negative opinion of a relative or friend in recovery from an addiction; and

WHEREAS, Resources exist online and in our community to increase people's awareness about how substance use disorders affect children, families, and our society; and

WHEREAS, Such education is essential to overcoming misconceptions and achieving long-term recovery; and

WHEREAS, To help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, and New River Valley Community Services invite all residents of Montgomery County, Virginia to participate in the 20th anniversary of *National Alcohol and Drug Addiction Recovery Month* (Recovery Month).

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby proclaims the month of **September 2009** as *National Alcohol and Drug Addiction Recovery Month* in Montgomery County, Virginia and calls upon the people to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "*Join the Voices for Recovery: Together We Learn, Together We Heal.*"

The vote on the foregoing resolution was as follows:

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

RECESS

The Board of Supervisors took a 15 minute recess at 9:25 p.m. and reconvened at 9:40 p.m.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator attended the following meetings or events:

- 4-H Fair at Sinkland Farms
- Meeting with Tony Cox, Radford City
- Meeting with Marc Verniel, Town of Blacksburg, regarding the Joinder Study
- Seminar – GASB 34 requirements

BOARD MEMBERS' REPORTS

Supervisor Muffo attended the elected officials' picnic at Randolph Park in Dublin hosted by Pulaski County. They provided a tour of the Volvo Plant located in Dublin. Supervisor Muffo commented on the cleanliness throughout the plant and the strong emphasis they place on quality.

Supervisor Creed received a call from Marty Childress regarding a road issue. Mr. Childress reported that during a rain event, gravel is being washed down from Ryan Road (SR 822) into his driveway located on Old Town Road (SR 753). Mr. Childress stated he has contacted VDOT several times for something to be done but nothing has been done yet. Supervisor Creed requested staff contact VDOT to resolve this issue.

Elliston Volunteer Fire Department purchased a generator for the fire department; however, it did not come with the necessary wiring. The cost for the wiring is estimated at \$1,870.00. Supervisor Creed requested the County appropriate the funds needed in order to procure the wiring for the generator.

A-FY-10-32
ELLISTON VOLUNTEER FIRE DEPARTMENT
TRANSFER FROM GENERAL CONTINGENCIES

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950 General Contingencies (\$1,870)

TO:

330 Fire & Rescue \$1,870
Elliston Volunteer Fire Dept.

Said resolution transfers appropriated funds from General Contingencies to the Elliston Volunteer Fire Department to cover the cost of wiring and installation of a generator.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo

Doug Marrs

Mary W. Biggs

James D. Politis

William H. Brown

Gary D. Creed

Annette S. Perkins

NAY

None

Board Reports Continued:

Supervisor Marrs attended the VACo's Transportation Steering Committee meeting in Richmond on August 14, 2009, where the major discussion was the lack of money for transportation needs across the Commonwealth.

Supervisor Biggs attended the following meetings:

- VACo's Education Steering Committee in Richmond on August 14, 2009. The budget shortfall was also discussed.
- Library Board – August 18, 2009- Library usage continues to increase. The library system has seen a 12.4% increase in material checkout.
- School Board – continues with the Superintendent search.

Supervisor Politis thanked the Board for approving the Tourism Development Council's request to use funding for the advertisement in the 2010 Virginia Tourism Guide magazine. He attended the Tourism Development Council meeting where discussion centered around separating tourism from the Chamber of Commerce.

Supervisor Perkins also attended the VACO Education Steering Committee in Richmond. The State of Virginia is expecting a \$1.5 billion revenue shortfall and the Education Steering Committee is anticipating cuts in education in the next round of budget cuts.

ADJOURNMENT

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously, the Board adjourned to Monday, September 14, 2009 at 6:00 p.m.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 10:10 p.m.

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