

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 12th DAY OF OCTOBER 2004, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Doug Marris	
	John A. Muffo	
	Steve L. Spradlin	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Karen Edmonds	-Human Resources Director
	T.C. Powers	-Planning Director
	Robert C. Parker	-Public Information Officer
	Judy Kiser	-Assistant to the County Administrator
ABSENT:	Annette S. Perkins	-Vice Chair

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARING

Proposed Ordinance

An Ordinance Authorizing Certain Persons Sixteen Years of Age or Older with Parental or Guardian Approval to Participate in Volunteer Fire Company Activities

The County Administrator explained the purpose of the ordinance is to allow junior volunteers who are 16 years of age or older, to participate in the activities of volunteer fire departments.

There being no speakers, the public hearing was closed.

DELEGATION

Eastern Montgomery Service Provider Coalition

James Pritchard and Rebecca Kahila provided the Board with information on services needed in the eastern portion of Montgomery County. Eastern Montgomery Service Providers Coalition and the Meadowbrook Planning Team conducted a study of eastern Montgomery County. They took into account the following: Who lives here? What do we know about the citizens? What needs do the citizens have? How can we help meet those needs? They determined the population, age groups, income levels, education levels, and the number of homes. They also determined what type of services are available to families and what percentage of the population used these services, which includes, food stamps, food pantry, Medicaid, TANF, Legal Aid Services and Child Protective Services. With this information it was determined that the following services were needed in eastern Montgomery County: transportation, Free Clinic for health, dental, and vision care; Health Department Branch Office; recreation opportunities; Social Services Branch Office; Satellite Police Office; education; and job training, housing/shelter, and family/individual counseling services.

PUBLIC ADDRESS

Susan Everett expressed her concerns about the proposed church in the Rolling Hills Subdivision, citing worries about the health, safety, and welfare of residents of the neighborhood, the inadequacy of roads and danger of traffic, and concerns for the septic system.

Bobby Burleson agreed with Susan Everett's comments, particularly with the septic system and the danger of traffic on Rt. 114.

Brendan Bowen thanked the Board for considering tabling the request by Riverbend Water Company to vacate lots in the Rolling Hills Subdivision, in order for the septic system issue to be resolved.

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

CONSENT AGENDA

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated October 12, 2004 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Gary D. Creed		
Doug Marrs		
Steve L. Spradlin		
Mary W. Biggs		
James D. Politis		

A-FY-05-39
COUNTY CAPITAL PROJECTS FUND
CORRECTION OF CARRIED FORWARD APPROPRIATION
FOR FY 05

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects Fund appropriation for the fiscal year ending June 30, 2005, is adjusted for the function and in the amount as follows:

12	County Capital Projects	
810	Falling Branch Industrial Park	(\$36,914)
710	Meadowbrook Library	(17,498)
330	Elliston Fire Station	(600)
400	Consolidated Sites	<u>2,200</u>
	Total	(\$52,812)

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

Revenue Accounts:

451205	Undesignated Fund Balance	(52,812)
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Said resolution corrects the amount carried forward into the FY 05 budget for the County Capital Projects Fund.

A-FY-05-40
GENERAL FUND ENCUMBRANCES
CORRECTION OF CARRY FORWARD APPROPRIATION

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

162	Treasurers Collections	\$1,988
710	Library	573
810	Economic Development	<u>1,800</u>
	Total	\$4,361

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

Revenue Accounts:

451205	Undesignated Fund Balance	\$4,361
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Said resolution corrects the amount carried forward into the FY 05 budget for County encumbrances.

A-FY-05-41
SHERIFF -RECOVERED COSTS

On a motion by John A. Muffo, seconded by Mary W. Biggs 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, 2005, for the function and in the amount as follows:

310	Sheriff B Comp Board	\$1,498
320	Sheriff B County	\$2,548
321	Sheriff- Grants	<u>\$ 185</u>
	Total	\$4,231

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

<u>Revenue Account</u>		
424401	Project Lifesaver	\$ 185
419108	Recovered Costs	<u>\$4,046</u>
	Total	\$4,231

Said resolution appropriates project lifesaver funds and recovered costs from extraditions and deputies working security.

A-FY-05-42
VIRGINIA JUVENILE COMMUNITY
CRIME CONTROL ACT
APPROPRIATION OF FLOYD COUNTY'S CONTRIBUTION

On a motion by John A. Muffo, seconded by Mary W. Biggs 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, 2005, for the function and in the amount as follows:

520	Human Services	\$9,204
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
416156	Floyd Contribution	\$ 9,204

Said resolution appropriates Montgomery County's allocations received from Floyd County's Juvenile Community Crime Control Act fund.

A-FY-05-43
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM

On a motion by John A. Muffo, seconded by Mary W. Biggs 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, 2005 for the function and in the amount as follows:

220	Commonwealths Attorney	\$ 1,068
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

419104	Confiscations	\$111
451203	Undesignated Fund Balance	<u>\$957</u>
	Total	\$1,068

Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

A-FY-05-44
HUMAN RESOURCES
TRANSFER FROM SPECIAL CONTINGENCIES
COMPENSATION AND CLASSIFICATION CONSULTANT

On a motion by John A. Muffo, seconded by Mary W. Biggs 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:

960	Special Contingencies	(\$41,750)
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TO:

110	County Administration	
	Human Resources	\$41,750

Said resolution transfers appropriated funds from Special Contingencies to Human Resources to cover the cost of the Compensation and Classification consultant.

R-FY-05-62
GARDNER ESTATES SUBDIVISION
VACATION OF UTILITY AND DRAINAGE
EASEMENTS OF LOTS 5 & 6

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

WHEREAS, The Plat showing Vacation of 15= Utility & Drainage Easement between Lots 5 and 6 of Gardner Estates Subdivision requests on behalf of the landowner, Ernest J. Woods; and

WHEREAS, Section 15.2-2270 of the Code of Virginia, as amended, permits the Board of Supervisors to vacate public utility and drainage easements upon request of the landowners involved.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Plat Showing Vacation of 15= Utility & Drainage Easement and Relocation / Vacation of Lot Lines Between Lot 5 & Lot 6 Gardner Estates (Highland Surveys PC Plan No. S-7911 dated 27 September 2004) for Tax Parcels Nos. 106-7-5 and 6 (Parcel ID=s 023755 and 023756) in the Riner Magisterial District.

FURTHER, The Subdivision Agent is hereby authorized to sign said plat for recordation.

OLD BUSINESS

ORD-FY-05-10
An Ordinance Amending the
Zoning Classification of 1 Acre
Identified as Tax Parcel # 104-A-44C
from A-1 to CB
Robert J. Vaughan

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of approximately one (1) acre of land is hereby amended and rezoned from the zoning classification Agriculture (A-1) to Community Business (CB) with the following proffered conditions:

1. The use of the property will be limited to the repair and/or service, including light cosmetic repair, of taxicabs, including vans (gross vehicle weight of 7500 lbs. or less) and personal vehicles only. The garage will not be open to the public.
2. The hours of operation will be limited to 7:00am to 8:00pm Monday thru Friday and 7:00am to 3:00pm on Saturday and Sunday.
3. Only one (1) non-resident employee will perform service and repairs on-site.
4. Fuel, oil, and/or other hazardous materials will not be stored on site. All fluids will be in containers and disposed of promptly.
5. No junk vehicles will be stored on site.
6. No more than three (3) vehicles shall be stored outside any building on the commercially zoned portion of the property and none of these vehicles shall be on the property for more than thirty (30) days. Commercially licensed vehicles shall be on the commercially zoned property
7. The boundary of the commercial zoning as shown on sketch dated July 8, 2004 shall be clearly marked in field.

This action was commenced upon the application of Robert J. Vaughn.

The property is located at 3839 Mud Pike and is identified as Tax Parcel No. 104-A-44C (Acct ID # 020014) in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion/Planned Commercial in the Comprehensive Plan.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

R-FY-05-63
Resolution to TABLE
Riverbend Water Company
(Agent: Victory Restoration Center)
Request to Vacate Lot Numbers 13 Through 20
And 28 Through 37 of the Rolling Hills Subdivision
Section IV along with the 50' Public Right-of-Way
Contiguous to Lots 13 Through 20 and 28 Through 35

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Riverbend Water Company, (Agent: Victory Restoration Center) request to vacate lot numbers 13 through 20 and 28 through 37 of the Rolling Hills Subdivision Section IV along with the 50' public right-of-way contiguous to lots 13 through 20 and 28 through 35 in order to create a single parcel approximately 10 acres for the development of a church is hereby **TABLED** until the Board of Supervisors' meeting on November 10, 2004 in order to allow the homeowner, developer, engineers, and the Health Department an opportunity to repair and correct all problems related to the septic system on lot #9.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

R-FY-05-64
Resolution Approving the
Montgomery County 2025 Comprehensive Plan
as Recommended by the Montgomery County
Planning Commission

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, Pursuant to Section 15.2-2223 of the 1950 Code of Virginia, as amended, the Montgomery County Planning Commission has prepared and recommended a comprehensive plan for the physical development of Montgomery County, Virginia, entitled Montgomery County 2025 Comprehensive Plan; and

WHEREAS, Public hearings were held by the Planning Commission on June 30, 2004, and by the Board of Supervisors on September 27, 2004, to hear comments by citizens on the proposed Montgomery County 2025 Comprehensive Plan; and

WHEREAS, Pursuant to Section 15.2-2226 of the 1950 Code of Virginia, as amended, the Montgomery County Board of Supervisors desires to approve and adopt the Montgomery County 2025 Comprehensive Plan as presented by the Montgomery County Planning Commission as the official comprehensive plan for Montgomery County replacing all prior approved comprehensive plans.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves and adopts the Montgomery County 2025 Comprehensive Plan as recommended by the Montgomery County Planning Commission, as the official comprehensive plan for Montgomery County replacing all prior approved comprehensive plans.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

ORD-FY-05-11
Ordinance Authorizing Certain Persons
Sixteen Years of Age or Older
With Parental or Guardian Approval
To Participate in Volunteer Fire Company Activities

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

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that pursuant to Section 40.1-79.1 of the 1950 Code of Virginia, as amended, the County of Montgomery, Virginia, subject to any restrictions that may be adopted by the volunteer fire company, hereby authorizes any person who is sixteen (16) years of age or older, who has first obtained his or her parent's or legal guardian's written consent, to work with or fully participate in all activities of a volunteer fire company, provided such person has attained certification under the National Fire Protection Association NFPA 1001, Level One, fire fighter standards, as administered by the Virginia Department of Fire Programs.

BE IT FURTHER ORDAINED, The certification record and parental or guardian consent shall be kept on file in the office of the volunteer fire department for each person who is enrolled as a participant pursuant to the Ordinance.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

NEW BUSINESS

**R-FY-05-65
Declaration of Local Emergency**

On a motion by Doug Marrs, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia does hereby find:

1. That due to flooding caused by the remnants of Hurricane Jeanne on September 28, 2004, the County of Montgomery is facing widespread loss of personal property due to major flood damage.
2. That due to the flooding, a condition of peril to life and property necessitated the proclamation of the existence of an emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, That an emergency existed throughout the County of Montgomery, Virginia on September 28, 2004; and

IT IS FURTHER PROCLAIMED AND ORDERED, That during the existence of said emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services Coordinator, shall be those prescribed by state law and the ordinance, resolutions, and approved plans of the County of Montgomery in order to mitigate the effects of said emergency.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

**R-FY-05-66
RESOLUTION APPROVING THE
BUDGET CALENDAR FOR FY 05-06**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the proposed FY 2005-2006 Budget Calendar is hereby approved. It is the intent of the Board of Supervisors that departments, offices, and agencies requesting funds through the budget process adhere to the deadlines prescribed within the calendar. The names of the departments, offices,

and agencies failing to comply with this directive shall be reported to the Board of Supervisors at their first meeting in January 2005.

The Budget Calendar is a schedule for the development of the County budget. It is very important that everyone adhere to the Budget Calendar and fulfill his/her responsibility in the budgeting process.

DATE	FUNCTION	RESPONSIBILITY
October 25, 2004	Budget work session on issues for budget development	Board of Supervisors
November 12, 2004	Budget working documents given to division and mailed to external agencies along with special instructions and guidelines	County Administration and Financial & Management Services
December 14-17, 2004	Divisions without access to the County's network enter base budget changes	Financial & Management Services
December 30, 2004	Due date for Proposed Base Budget revisions for all divisions, agencies, and organizations (except for Schools).	Directors, Divisions, and Agency Heads
January 10, 2005	Public Hearing for citizen input	Board of Supervisors
January 10-February 4, 2005	County Administrator review with Directors, Constitutional Officers, and Agency Heads the proposed budget.	County Administrator
January 24, 2005	Budget work session on budget issues	Board of Supervisors
February 7, 2005	School budget delivered to County Administrator	School Board
March 4, 2005	Proposed Budget document delivered to Board of Supervisors	County Administrator
March 7-21, 2005	Work sessions to develop advertised budget and tax rate	Board of Supervisors
March 21, 2005	By this date, establish advertised tax rate and prepare budget synopsis notices of public hearing in paper	Board of Supervisors

March 31, 2005	Public Hearing on advertised tax rate and budget	Board of Supervisors
March 31-April 18, 2005	Work sessions to adopt budget (including Schools) and establish tax rate	Board of Supervisors
April 18, 2005	Establish tax rate and adopt budget	Board of Supervisors
By June 30, 2005	Make final budget appropriation	Board of Supervisors
After July 1, 2005	Divisions and Agencies notified of final appropriation	County Administrator

1. PUBLIC HEARING: A public hearing on the budget is required. If a tax rate increase is needed, notice must be published at least 7 days before the public hearing and at least 14 days before final action.
2. TAX RATE AND BUDGET: The tax rate and budget must be established at the same time. This must be done early to process the first installment of real estate taxes.
3. LEGAL NOTICES AND PUBLIC HEARINGS: Legal notices and public hearings on the School Budget may be considered separately from the Non-School Budget. The School Budget must be approved by May 1, 2005 or within 30 days after receipt of State revenue estimates; whichever is later.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

R-FY-05-67
A Resolution Authorizing
The Preparation of Village Plans
For Prices Fork and Riner in 2005

On a motion by Gary D. Creed, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, The Montgomery County 2025 Comprehensive Plan establishes the goal of balanced growth i.e. the County will maintain a balance between urban and rural areas by planning for orderly growth to occur in areas with adequate resources and services to support growth (PLU 1.1); and

WHEREAS, The 2025 Comprehensive Plan recognizes the six villages of Belview, Elliston and Lafayette, Plum Creek, Prices Fork, Riner, and Shawsville as: 1) being separate and distinct from each other and from nearby towns, 2) serving as focal points for surrounding rural areas, and 3) providing opportunities to accommodate new residential and employment uses while retaining their vitality and historic character (PLU 1.7); and

WHEREAS, The 2025 Comprehensive Plan calls for a village planning process whereby the County will work jointly with the residents of each village and the surrounding area to prepare a Village Plan to guide future development (PLU 1.7.1).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board hereby directs the Planning Commission and County staff to work jointly in 2005 with the residents of the villages of Prices Fork and Riner in the preparation of a Prices Fork Village Plan and a Riner Village Plan.

FURTHER, BE IT RESOLVED, The Board directs that \$35,000 in funding for consulting services currently encumbered for the Comprehensive Plan be used for the cost of consulting services for the development of the Prices Fork Village Plan and the Riner Village Plan.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

R-FY-05-68
Request to General Assembly
Funding for Virginia State Parks

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors commends Governor Warner and the Senate of Virginia and House of Delegates for working cooperatively with the Department of Conservation and Recreation in their support of Virginia's state park system; and

WHEREAS, Virginia's state parks were voted "America's best managed" in 2001 and became recipients of the National Gold Medal Award; and

WHEREAS, Virginia's state parks rank fiftieth in state funding among the fifty states in both per capita and proportion of the state budget dedicated to state parks; and

WHEREAS, Our state park system is a major component of Virginia's outdoor recreation and tourism offerings and contributes more than one hundred fifty million dollars annually to the state and local economics; and

WHEREAS, Virginia voters demonstrated both in 1992 and 2002 support for state parks and expanding state parks with nearly seventy percent support for general obligation bond referendum in state-wide elections; and

WHEREAS, The need for a major rebenchmarking of funding and staffing for state parks has been identified and supported by the former Commission on the Future of Virginia's Environment (2002 Senate Document 4); and

WHEREAS, Preventative, cyclical and maintenance research projects have been deferred for many years as those funds have been by necessity redirected to operations resulting in hundreds of millions of dollars in deferred maintenance; and

WHEREAS, The expansion in facilities and responsibilities made possible by the 1992 and 2002 general obligation bond projects has placed unreasonable and extraordinary stress on our state park system and its staff; and

WHEREAS, The new facilities under construction and to be built by proceeds from the 2002 GOB will greatly exacerbate the current park staffing and operational unmet needs and may lead to delayed openings and indefinite land banking of new park land acquisitions.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby urges Governor Warner and the members of the Virginia Senate and House of Delegates to support budget amendments that address this critical need in the 2005 legislative session.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		
Gary D. Creed		
Steve L. Spradlin		
Doug Marrs		
James D. Politis		

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

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

1. Compensation and Classification Study-Presentation by Consultants

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Doug Marrs	None	Annette S. Perkins
Steve L. Spradlin		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		
James D. Politis		

Carolyn Long, President and CEO of Management Advisory Group (MAG) explained the process that will be used to conduct the Compensation and Classification Study.

OUT OF WORK SESSION

On a motion by Mary W. Biggs, seconded by John A. Muffo 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>	<u>ABSENT</u>
Steve L. Spradlin	None	Annette S. Perkins
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		
Doug Marrs		
James D. Politis		

COUNTY ADMINISTRATOR'S REPORT

Policy for Audio Visual Projects

The County Administrator directed Board members to a proposed policy governing audio-video projects produced by Montgomery County in their packet. He explained that a policy should be adopted for audio-video projects produced by the County. This policy will be placed on the next agenda for the Board's consideration.

Inclement Weather Policy

The County Administrator reported that he reviewed the County's policies concerning Inclement Weather at the request of the Board. The current policy on inclement weather states "The County does not close offices due to inclement weather conditions. Employees who do not report to work or who leave early due to such weather conditions shall be charged leave as appropriate, for the number of hours the employee was off work in the regular business day." The County Administrator stated based on his years of experience in this matter, he does not support making any changes to the inclement weather policy. It is not in the best interest of the community to delay opening governmental offices or to close early. He does support encouraging employees to use good judgment to determine when they report to work. He stated a copy of the inclement weather policy adopted October 27, 2003 was included in the Board packet for the Board's review, as well as a memo supporting his decision.

Proposed Memorandum of Understanding with PAWS, Inc. as to Volunteer Support at the Montgomery County Animal Shelter

The County Administrator reported during the past four to five months, County staff and County Administrator have met with representatives from Virginia Partnership for Animal Welfare and Support (PAWS). PAWS is a non-profit organization dedicated to improving and saving the lives of dogs in Montgomery County. The group has had three separate workdays at the County's shelter and has made major improvements to the site. PAWS has offered to provide volunteers who can assist the County in expanding the operating hours at the Shelter and in establishing more community animal care education opportunities. A copy of the proposed Memorandum Of Understanding (MOU) has been provided in the Board packet for review.

The Board of Supervisors requested the County Administrator to inquire if the proposed MOU is being coordinated with the Humane Society.

The proposed MOU will be placed on the October 25, 2004 agenda for the Board's consideration.

Christiansburg Volunteer Fire Department – Pumper Purchase

The County Administrator reported that bids were received in response to a RFP for a pumper for Christiansburg Volunteer Fire Department. The County has appropriated \$350,000 in the FY 2003 budget for the purchase of one rescue pumper to replace a 1984 pumper truck. Two bids were received as follows:

Smeal - \$453,273

Pierce - \$546,028

The Christiansburg Fire Department has asked that the County define the Pierce bid as the “low responsive bid” due to Pierce's safety design and to the Smeal bid being non responsive due to several issues. The CVFD has funds available to cover the additional cost and with the Board's permission to use the available funds towards the purchase of the Pierce rescue pumper and remaining money to purchase one brush truck. The County Administrator recommends authorizing this request and proceeding with the purchase of the rescue pumper and preparing a bid specification for the purchase of a brush truck.

Following discussion by the Board, staff was instructed to provide the Board with information in the bids that were non-responsive to the specifications in the RFP.

BOARD MEMBERS' REPORTS

Supervisor Spradlin submitted a list of road concerns to the County Administrator and requested it be forwarded to VDOT.

Supervisor Creed expressed concerns about the maintenance of the area around the Courthouse and stated it needs attention.

Riffe Street – Supervisor Creed asked about the status of the paving of Riffe Street. He commented that it needed to be paved before the winter.

Supervisor Biggs - School Board meeting- At the October 5, 2004 School Board meeting, options for Elliston/Lafayette Elementary School and Prices Fork Elementary School projects were discussed.

INTO CLOSED MEETING

On a motion by John A. Muffo, seconded by Steve L. Spradlin 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 Any Public Body

- 1. Office on Youth Advisory Board

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Annette S. Perkins
Doug Marrs		
Steve L. Spradlin		
Gary D. Creed		
John A. Muffo		
James D. Politis		

OUT OF CLOSED MEETING

On a motion by Gary D. Creed, seconded by John A. Muffo 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>ABSENT</u>
Mary W. Biggs	None	Annette S. Perkins
Doug Marrs		
Steve L. Spradlin		
Gary D. Creed		
John A. Muffo		
James D. Politis		

CERTIFICATION OF CLOSED MEETING

On a motion by John A. Muffo, seconded by Steve L. Spradlin 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

Doug Marrs
Steve L. Spradlin
Gary D. Creed
John A. Muffo
Mary W. Biggs
James D. Politis

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins

ABSENT DURING MEETING

Annette S. Perkins

ADJOURNMENT

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Monday, October 25, 2004 at 7:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Annette S. Perkins
Doug Marrs		
Steve L. Spradlin		
Gary D. Creed		
John A. Muffo		
James D. Politis		

The meeting adjourned at 10:05 p.m.