

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 24th DAY OF NOVEMBER 2003, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Larry N. Rush	-Chair
	Annette S. Perkins	-Vice Chairman
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	John A. Muffo	
	James D. Politis	
	C.P. Shorter	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

PUBLIC ADDRESS

Tom Covey, Extension Agent, introduced the new 4-H Director, Michelle Adcock.

Marty Gordon expressed his appreciation to the Board for their support and contribution of \$500.00 to the 4-H Livestock Team in order for them to attend the National Livestock Competition in Kentucky.

DELEGATION

Montgomery County Agency on Aging

Robert Gribben, Montgomery County’s representative on the Agency on Aging Board, expressed concerns with funding issues with the Agency on Aging. Over the last couple of years, the Agency on Aging has sustained budget cuts of more than \$150,000.00. The Agency is trying to maintain the current level of

services in the most critical programs, such as the homebound meals, at five days a week. The Agency has cut two full-time staff positions with no raises for the remaining staff, limited the number of homebound meals clients from 247 per day to 230 per day, and cut congregated meals from 3 meals per week to two meals per week. Homebound meals are for citizens who cannot leave their homes and congregated meals are for those who are able to leave their homes or who need assistance. Mr. Gribben explained that congregate meals provide not only a healthy meal but food for the soul. This provides a social outing for many senior citizens who only get out for these meals.

Mr. Gribben requested the Board to provide funding to restore the congregated meals from 2 meals a week back to 3 meals a week for citizens in Montgomery County for the remainder of this fiscal year. The actual cost for the remaining 3 quarters will be \$18,720.00.

CONSENT AGENDA

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously, the Consent Agenda dated November 24, 2003 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

Approval of Minutes Dated October 14, 2003

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously, the minutes dated October 12, 2003 were approved.

Schedule Public Hearing - Board of Supervisors - Fiscal Year 2004-2005 County Budget

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby schedules a public hearing for Monday, January 12, 2004 at 7:15 p.m. in the Board Chambers, Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia for the purpose of receiving citizens' comments on the following:

Fiscal Year 2004-2005 County Budget

-The purpose of this hearing is to gather citizen comments on the upcoming fiscal year budget.

Adopt a Travel Policy and Procedures

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby adopts the Travel Policy and Procedures document dated November 24, 2003 and directs the County Administrator or his designee to administer the policy.

Request Montgomery Museum to Provide a Formal Written Record of the History of Montgomery County, Virginia

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests the Montgomery Museum to initiate and oversee a project to document the history of Montgomery County, providing a formal written record of the County's history.

FURTHER, The Board affirms to the Montgomery Museum its commitment to cover the costs incurred by the Museum for this project subject to approval by the Board of Supervisors.

Extension/4-H - Transfer from General Contingencies

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

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

FROM:

950 General Contingencies (\$500.00)

TO:

910 Extension/4-H \$500.00

Said resolution transfers funds from General Contingencies to Extension in order to send the 4-H

Livestock Team to the National Livestock Competition in Kentucky.

Alliance for Virginia's Students - Appointment

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, Supervisor Mary W. Biggs has been invited to serve on the Alliance for Virginia's Students.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia authorizes the County Administrator to reimburse Supervisor Biggs for expenses arising from attendance at alliance meetings.

BE IT FURTHER RESOLVED, The Board of Supervisors endorses Supervisors Biggs' participation on the Alliance for Virginia's Students.

Resolution of Appreciation-Sandra W. Chapin

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, Sandra W. Chapin has served Montgomery County citizens as Registrar since 1988; and

WHEREAS, During her 15 years of service as Registrar, Montgomery County has grown from a total of registered voters from 26,764 in 1988 to 42,172 in 2003; and

WHEREAS, The Board of Supervisors fully recognizes the hard work, dedication, experience and outstanding leadership *Sandra W. Chapin* has demonstrated in her 19 years of service, the last 15 years as Registrar to the citizens of Montgomery County; and

WHEREAS, Sandra W. Chapin has maintained records of all registered voters in Montgomery County in such a manner to assure the accuracy and safekeeping of the registration records; and

WHEREAS, Sandra W. Chapin has attended various seminars and workshops sponsored by the State Board of Elections concerning law changes, implementation of state-wide registration, conducting Officers of Election training, the impact to localities of the National Voter Registration Act, Federal Post Card Registration for military and overseas citizens, the Voting Rights Act, handling of campaign expense reports and contributions, benefits of central absentee voting, conducting election recounts, and many other

issues relating to voter registration and the electoral process; and

WHEREAS, Sandra W. Chapin enrolled in the Voter Registrars Certification Program and was one of 19 General Registrars awarded the title of Certified Professional General Registrar in 1994 and in 1998 was recertified as a Professional General Registrar in the Commonwealth of Virginia; and

WHEREAS, Sandra W. Chapin assisted the Montgomery County Planning Department and the County Attorney with the redistricting in 1991 and 2001 and supervised all changes to precinct lines in Montgomery County and the notification of changes to the 42,000 registered voters.

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 **Sandra W. Chapin** for her outstanding dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Sandra W. Chapin** and that a copy be made a part of the official minutes of Montgomery County.

Resolution of Appreciation - Douglas W. Marrs

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, Douglas W. Marrs has served in local law enforcement for over 30 years; and

WHEREAS, Douglas W. Marrs has served as Montgomery County Sheriff since 1996; and

WHEREAS, Under the leadership of **Douglas W. Marrs**, the Montgomery County Sheriff's Office requested and received additional state funded deputies, and Law Enforcement Officers Supplemental Retirement for Deputies; and

WHEREAS, Under the leadership of **Douglas W. Marrs** the Montgomery County Sheriff's Office became fully accredited in December, 1999; and

WHEREAS, Douglas W. Marrs has held 15 Citizen Police Academies, created a bike patrol for the Huckleberry Trail; initiated the Child Safety Seat Program and the Project Life Saver for Adults and Children; and

WHEREAS, Douglas W. Marrs has received awards from the Virginia Association of Chiefs of Police; and

WHEREAS, Douglas W. Marrs has received National Chiefs Challenge Awards for child safety seats, occupant protection education and enforcement, DUI enforcement, and speed limit enforcement; and

WHEREAS, Douglas W. Marrs has received Operation Heat Wave awards for programs to help eliminate auto theft; has received awards for Smart, Safe & Sober Awards to promote highway safety; and

WHEREAS, Douglas W. Marrs has served on the Transportation Safety Commission, the Local Emergency Planning Committee, Board of Directors of the Virginia State Sheriff's Association, State Chiefs of Police and Sheriffs Accreditation Committee, and served as Chairman of the New River Valley Police Academy; and

WHEREAS, Douglas W. Marrs' unquestioned integrity and strong character through his profession and his public service has had a lasting impact on the lives of the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **Douglas W. Marrs** for his outstanding public service.

BE IT FURTHER RESOLVED, The original of this resolution be presented to **Douglas W. Marrs** and that a copy be a part of the official minutes of Montgomery County.

Resolution of Appreciation - Nancy W. Miller

On a motion by C.P. Shorter, seconded by James D. Politis and carried unanimously,

WHEREAS, Nancy W. Miller has served the citizens of Montgomery County in the Commissioner of the Revenue Office for 34 years; and

WHEREAS, Nancy W. Miller served as Chief Deputy to the Commissioner of the Revenue for 16 years and has served as Montgomery County's Commissioner of the Revenue since 1996; and

WHEREAS, Nancy W. Miller received her State Commissioner of the Revenue certification from the Weldon Cooper Center in 1998; and

WHEREAS, During her 34 years of service in the Commissioner of the Revenue Office, Montgomery County has grown from a population of 47,157 to a population of over 84,000; and

WHEREAS, During that time **Nancy W. Miller** has assessed \$2.2 billion in real estate from 1996 to \$4.4 billion in 2003, and has seen an increase in land parcels of 29,194 in 1996 to 32,571 in

2003; and

WHEREAS, The Commissioner of the Revenue Office has assessed \$3.8 million in personal property in 1996 to \$5.8 million in 2003; and

WHEREAS, Under the leadership of *Nancy W. Miller* the Commissioner of the Revenue Office has implemented the Personal Property Tax Relief Act; and

WHEREAS, *Nancy W. Miller* served as president of the Southwest Commissioners of the Revenue Association in 2001 and was a member of the Executive Committee of the State Commissioners of the Revenue Association; and

WHEREAS, The Board of Supervisors fully recognizes the hard work, dedication, experience and outstanding leadership *Nancy W. Miller* has demonstrated in her 34 years of service to the citizens of Montgomery County.

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 *Nancy W. Miller* for her outstanding dedication to the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to *Nancy W. Miller* 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.

NEW BUSINESS

Financing Resolution for the Courthouse Renovation and Expansion Project and School Athletic Facilities

On a motion by C.P. Shorter, seconded by Annette S. Perkins and carried,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia (**the “Board of Supervisors”**) desires to obtain a financing for (i) a portion of the costs of the acquisition, design, construction and equipping of a new County Courthouse (**the “Courthouse Project”**) and (ii) pay the costs of the acquisition, design, construction and equipping of athletic facilities for County High Schools (**the “School Project”**); and

WHEREAS, The Board of Supervisors has requested the Industrial Development Authority of Montgomery County, Virginia (**the “Authority”**) to (a) issue, offer and sell its lease revenue note or bond in an approximate amount of up to \$5,000,000 (**the “Series A Bond”**) to finance a portion of the cost of the acquisition, design, construction and equipping of the Courthouse Project and (b) issue, offer and sell its lease revenue note or bond in an approximate amount of up to \$5,000,000 (**the “Series B Bond”**)

to finance the acquisition, design, construction and equipping of the School Project and (c) to lease the Courthouse Project and the School Project to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the “Act”**), providing its moral obligation in support of the payment of the Series A Bond and the Series B Bond and the Authority has agreed to do so; and

WHEREAS, The Authority, based on the request of the Board of Supervisors, proposes to (a) use the proceeds of the Series A Bond to pay a portion of the costs incurred and to be incurred in connection with the Courthouse Project, including costs of issuing the Series A Bond, (b) use the proceeds of the Series B Bond to pay the costs incurred and to be incurred in connection with the School Project, including costs of issuing the Series B Bond, (c) lease the Courthouse Project and the School Project to the County pursuant to a ground lease and a lease agreement with the Authority and, (d) secure the Series A Bond and Series B Bond by an assignment of its rights under such lease agreement (except the right to receive indemnification, to receive notices and to give consents and to receive its administrative expenses) to Davenport & Company, LLC (**the “Underwriter”**), under an assignment agreement between the Authority and the Underwriter, which is to be acknowledged and consented to by the County, all in accordance with a bond purchase agreement among the Underwriter, the County and the Authority; and

WHEREAS, There have been presented to this meeting substantially final drafts of the following documents (**collectively, the “Documents”**) in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

- a. a Ground Lease dated as of December 1, 2003, between the County and the Authority conveying to the Authority a leasehold interest in the property described therein (**the “Ground Lease”**);
- b. a Lease Agreement, dated as of December 1, 2003, between the Authority and the County conveying to the County a leasehold interest in the Courthouse Project and the School Project (**together, the “Projects”**) (**the “Lease Agreement”**);
- c. a Bond Purchase Agreement, dated as of December 1, 2003 among the Authority, the County and the Underwriter, pursuant to which the Series A Bond and the Series B bond is to be issued (**the “Bond Purchase Agreement”**);
- d. an Assignment Agreement, dated as of December 1, 2003 between the Authority and the Underwriter, assigning to the Underwriter certain of the Authority’s rights under the Lease Agreement and the Ground Lease, which is to be acknowledged and consented to by the County (**the “Assignment Agreement”**); and
- e. a Preliminary Limited Offering Memorandum for the offering and sale of the Series A Bond and the Series B Bond (**the “Preliminary Limited Offering Memorandum”**).

NOW THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia:

1. All costs and expenses in connection with (i) the undertaking of the acquisition, design, construction and equipping of the Courthouse Project and the issuance of the Series A Bond and (ii) the undertaking of the acquisition, design, construction and equipping of the School Project and the issuance of the Series B Bond including the Authority's expenses, the fees and expenses of the County, and the fees and expenses of Bond Counsel and the Underwriter, for the sale of the Series A Bond and the Series B Bond, shall be paid from the proceeds therefrom or other funds of the County. If for any reason the Series A Bond and Series B Bond are not issued, it is understood that all such expenses shall be paid by the County and that the Authority shall have no responsibility therefor.
2. The Board of Supervisors hereby instructs the Bond Counsel to take all such action as necessary or appropriate to conclude the financing with the Underwriter as set forth in the Bond Purchase Agreement by the issuance of the Series A Bond and the Series B Bond of the Authority.
3. The following plan for financing a portion of the costs of the Courthouse Project and the costs of the School Project is approved. The Authority shall use the proceeds from the issuance of the Series A Bond to finance on behalf of the County, a portion of the acquisition, design, construction and equipping of the Courthouse Project for lease to the County for a lease term not less than the term of the Series A Bond at a rent sufficient to pay when due the interest and principal on the Series A Bond. The Series A Bond and the Series B Bond will be on parity with a bond or bonds expected to be issued in 2004 to complete the Courthouse Project and/or the School Project, and with each other. The Authority shall use the proceeds from the issuance of the Series B Bond to finance on behalf of the County, the acquisition, design, construction and equipping of the School Project for lease to the County for a lease term not less than the term of the Series B Bond at a rent sufficient to pay when due the interest and principal on the Series B Bond. The obligation of the Authority to pay principal and interest on the Series A Bond and the Series B Bond will be limited to rent payments received from the County under the lease agreement. The obligation of the County to pay rent under the lease agreement will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Board of Supervisors on behalf of the County has adopted this resolution as its moral obligation to the repayment of the Series A Bond and the Series B Bond. The Series A Bond and the Series B Bond will be secured by an assignment of rents to the Bondholder as the holder thereof. If the Board of Supervisors exercises its right not to appropriate money for rent payments, the Bondholder may terminate the lease or otherwise exclude the County from possession of the Courthouse Project and the School Project, subject to judicial authority as to the Courthouse Project. The issuance of the Series A Bond and the Series B Bond on the terms set forth in a Bond Purchase Agreement is hereby approved. The Series A Bond and the Series B Bond will be on parity with one another and on parity with the bond or bonds expected to be issued in 2004 to complete the Courthouse Project and/or the School Project.
4. The Board hereby approves the Documents and the form of the Series A Bond and the Series B Bond in a maximum amount of \$5,000,000 each with a maximum amortization of 25 years for the Series A Bond and 20 years for the Series B Bond, from the date of its issuance, with a put option

of 10, 15 or 20 years at an assumed rate of not to exceed 4.50% for the Series A Bond and 4.31% for the Series B Bond with such changes, including but not limited to changes in the amounts, dates, payment dates and rates as may be approved by the officer executing them whose signatures shall be conclusive evidence of his approval of the same.

5. The Chairman or Vice Chairman of the Board of Supervisors, or either of them, and the County Administrator are each hereby authorized and directed to execute the Documents and such other instruments and documents as are necessary to create and perfect a complete assignment of the rents and profits due or to become due in favor of the Underwriter, to issue the Series A Bond and Series B Bond.
6. The County consents to its Bond Counsel acting as counsel to the Underwriter in this financing.
7. The County represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Series A Bond or the Series B Bond to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**) or otherwise cause the interest on the Series A Bond or the Series B Bond to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the Authority or the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Series A Bond or Series B Bond.
8. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
9. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Series A Bond and the Series B Bond, and the undertaking of the acquisition, design, construction and equipping of the Courthouse Project and the School Project and the leasing of the Courthouse Project and the School Project is hereby approved, ratified and confirmed.
10. The County by acceptance of this financing agrees to indemnify, defend and save harmless, to the extent permitted by law, the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Series A Bond and the Series B Bond, or the acquisition, design, construction and equipping of the Courthouse Project and the School Project.
11. Nothing in this Resolution, the Series A Bond, the Series B Bond, or the Documents shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not

be obligated to make any payments under the Series A Bond, the Series B Bond or the Documents except from payments made by or on behalf of the County under the lease agreement pursuant to annual appropriation thereof in accordance with applicable law.

12. The County hereby designates, and allocates to the Authority in relation to the issuance of the Series A Bond and the Series B Bond, such designation as “qualified tax-exempt obligations” for the purpose of Section 265(b)(3) of the Code. The County does not reasonably anticipate (nor do any of its subordinate entities reasonably anticipate) issuing more than \$10,000,000 in qualified tax exempt obligations during calendar year 2003 and the County (and any of its subordinate entities) will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code during such calendar year.
13. The Board hereby reaffirms and declares, in accordance with U.S. Treasury Regulation Section 1.150-2, as amended from time to time, the County’s intent to reimburse the County with the proceeds of the Series A Bond and the Series B Bond for Expenditures with respect to the Courthouse Project made on or after the date which date is no more than 60 days prior to the adoption by the Board of its Reimbursement Resolution (adopted October 9, 2001 and again on July 28, 2003) and as to the School Project, made on or after September 26, 2003, which date is no more than 60 days prior to the date of the adoption of this Reimbursement Resolution. The County reasonably expects that it will reimburse the Expenditures with the proceeds of the Series A Bond and the Series B Bond. The maximum principal amount of the tax exempt bonds expected to be issued for the Courthouse Project is \$16,500,000 and the maximum principal amount of the Series B Bond expected to be issued for the School Project is \$5,000,000.
14. This resolution shall take effect immediately.

ADOPTED THIS 24th OF NOVEMBER, 2003.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Gary D. Creed
John A. Muffo
C.P. Shorter
Mary W. Biggs
Larry N. Rush

NAY

James D. Politis

Resolution Stating the County’s Position on the Financing of Athletic Facilities at the County

High Schools

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried,

WHEREAS, The Montgomery County Board of Supervisors on November 24, 2003 adopted a resolution to finance the cost of acquisition, design, construction and equipping of athletic facilities at the County High Schools; and

WHEREAS, The Montgomery County School Board adopted a resolution on November 18, 2003 in support of the athletic field upgrade contingent upon a resolution from the Board of Supervisors stating the project cost will not negatively impact future funding for the school system and stating that this cost will be borne by the County and not added to the school system's debt service.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the funding to the athletic facilities upgrades at each County High School will be borne by the Board of Supervisors, will not be added to the school system's debt service, and will not negatively impact future funding for the school system.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo
Annette S. Perkins
Gary D. Creed
C.P. Shorter
Mary W. Biggs
Larry N. Rush

NAY

James D. Politis

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously,

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

1. FY 2004-2005 Budget Priorities

The vote on the foregoing motion was as follows:

AYE

NAY

Gary D. Creed None
John A. Muffo
C.P. Shorter
Mary W. Biggs
James D. Politis
Annette S. Perkins
Larry N. Rush

The Board of Supervisors discussed several budget issues and several of the Board members requested that the following be considered during the budget development:

1. Requested the Board budget \$500,000 in matching VDOT Revenue Sharing funds in order to get some of the roads in the County repaired and improved. With matching funds from VDOT, this would provide a total of \$1 million in funding.
2. Would like to see a closer working relationship with the School Board during budget development especially for health benefits and employee compensation.
3. Suggested inviting different groups to speak during the budget work sessions in order to get an idea of their issues and needs.
4. Would like to have more information on the School's per pupil spending and teacher salary ranking during the budget process.
5. Would like to see requests for funding broken down from needs and wants from all departments and agencies.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

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

The vote on the foregoing motion was as follows:

AYE

NAY

C.P. Shorter None
Mary W. Biggs
James D. Politis
Annette S. Perkins
Gary D. Creed
John A. Muffo
Larry N. Rush

COUNTY ADMINISTRATOR'S REPORT

The County Administrator introduced Mr. B. Clayton Goodman, III, new Montgomery County Administrator, and introduced William Sgrinia, the new Parks and Recreation Director.

BOARD MEMBERS' REPORTS

Supervisor Shorter Revenue Sharing Projects Supervisor Shorter requested an update on projects in the Revenue Sharing program. He suggested that the Virginia Department of Transportation provide a regular update on the projects.

Supervisor Muffo Six Mile Loop - Ellett Valley Supervisor Muffo reported that a meeting was held November 14, 2003 with the Town of Blacksburg with regards to the proposed Six Mile Loop in Ellett Valley. It was determined that the trail should be done in phases and that each locality should submit a proposal for the portion located in their locality. The Town of Blacksburg has already completed a Phase I proposal and Supervisor Muffo suggested the County's Park & Recreation Department work on a proposal for the County.

Supervisor Politis Brush Creek Road Improvements Supervisor Politis requested information on the cost to improve Brush Creek Road (SR 617) . He received a letter back from VDOT stating the cost to rebuild and improve Brush Creek Road is estimated at \$1.5 million. This does not include replacement of five bridges.

Fairview Church Road and Rt. 8 Intersection - Supervisor Politis expressed concerns with the dangerous intersection at Fairview Church Road and Rt. 8. He requested another estimate on improvements to the intersection from VDOT.

Supervisor Perkins suggested inviting Michael St. Jean, Executive Director of the Virginia Tech/Montgomery Regional Airport, to a future Board meeting to give an update on the Virginia Tech/Montgomery Regional Airport.

Preston Forest Subdivision - Supervisor Perkins reported that double yellow lines need to be painted on the roads in Preston Forest Subdivision. When she contacted VDOT, she was informed there was no funding left this fiscal year for painting of lines.

Mills Wood Lane - Supervisor Perkins expressed her appreciation to VDOT for repairing the large holes in the road on Mills Wood Lane.

Supervisor Creed reported that the Library Board was conducting community meetings to discuss the future Meadow Brook Branch Public Library and usage of a community center. They are also submitting a grant proposal in order to receive funding for the community center.

Supervisor Biggs presented resolutions of appreciation for Supervisor Rush, Supervisor Shorter, and County Administrator Jeff Johnson.

Resolution of Appreciation - Larry Nick Rush

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

WHEREAS, Nick Rush, elected at the age of 23, is the youngest person to be elected to the Montgomery County Board of Supervisors which he has served faithfully since 1992; and

WHEREAS, Nick Rush has served as Chairman in 2003 and as Vice Chairman in 1994, 1998, 2000, 2001 and 2002; and

WHEREAS, 1992-2003 ***Nick Rush*** served on the Public Service Authority, the Road Viewers Board and as Liaison to the Parks and Recreation Commission; and

WHEREAS, In 1992 ***Nick Rush*** served on the Community Action Board, Economic Development Commission; and

WHEREAS, Nick Rush served on the 114/460 Corridor Planning Advisory Council 1992-1995; and

WHEREAS, Nick Rush has served on the Commerce Park Feasibility Committee, Economic Development Alliance, Fairview District Home Board, Finance Board, New River/Mount Rogers Workforce Investment Consortium, Montgomery County Chamber of Commerce Liaison, the County/School Liaison Committee, and Virginia's First Regional Industrial Facility Authority; and

WHEREAS, Over the past decade, **Nick Rush** and the Board of Supervisors have been instrumental in guiding the direction of the County and its services during periods spanning years of rapid economic growth as well as recession; and

WHEREAS, **Nick Rush** has contributed his efforts in the construction of five new schools, renovation of a former sewing factory to serve as the County Government Center, construction of a new health and human services building to house the Department of Social Services and the Department of Health, creation of a unified partnership for solid waste disposal within the County, adopted a new zoning ordinance for the County and updated the Comprehensive Land Use Plan; and

WHEREAS, As Liaison to the Parks and Recreation Commission **Nick Rush** has contributed his efforts in the creation of the Huckleberry Trail, a 7-mile walkway/bikeway following an abandoned railroad track connecting the County and the two towns, creating a Coal Miners Heritage Park in the Merrimac section of the County to memorialize the County's coal mining history, replacement of the County pool with a "mini" water park facility geared toward children, and upgraded youth sports including uniform improvements and field and facility expansion.

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

BE IT FURTHER RESOLVED, The original of this resolution be presented to **Nick Rush** and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
C.P. Shorter	
John A. Muffo	
Annette S. Perkins	
Mary W. Biggs	
Gary D. Creed	
Larry N. Rush	

Resolution of Appreciation - C.P. "Chuck" Shorter

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

WHEREAS, C. P. "Chuck" Shorter has faithfully served as a member of the Board of Supervisors from January 1, 2000 through December 31, 2003; and

WHEREAS, Chuck Shorter served on the Montgomery County Improvement Council 2000-2001 and on the Collection and Recycling Committee 2000-2002; and

WHEREAS, Chuck Shorter served as a member of the Road Viewers Board in 2000, 2001, 2002 and 2003; and

WHEREAS, Chuck Shorter served on the Resource Conservation & Development District in 2000, 2001, 2002 and 2003; and

WHEREAS, Chuck Shorter has been an active participant of the Virginia Association of Counties (VACo) and served on VACo's Environment and Agriculture Steering Committee; and

WHEREAS, Chuck Shorter has contributed his efforts in the construction of two new middle schools and a new high school; renovation of a former sewing factory to serve as the County Government Center; renovation of the Montgomery County Courthouse which will expand the current facilities to over 111,000 square feet to meet the needs of citizens for 25 years into the future; and

WHEREAS, Chuck Shorter transitioned the County's solid waste collection system from open green boxes to a system of consolidated site collections and recycling, reducing illegal waste in the system and generating operational savings, with a new consolidated site underway in McCoy; adopted a new zoning ordinance for the County and updated the Comprehensive Land Use Plan; and

WHEREAS, Chuck Shorter initiated the construction of a new Price's Fork water system which will provide a permanent source of safe and reliable drinking water for Price's Fork and its surrounding communities; and

WHEREAS, Chuck Shorter provided leadership in the creation of a Fire/Rescue Task Force to develop effective communication of the resource needs for Fire and Rescue Services countywide, with a new Longshop/McCoy Fire Station underway; and initiated method to continue local extension services in the wake of state funding cuts.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***C. P. "Chuck" Shorter***.

BE IT FURTHER RESOLVED, The original of this resolution be presented to ***C. P. “Chuck” Shorter*** and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
C.P. Shorter	
John A. Muffo	
Annette S. Perkins	
Mary W. Biggs	
Gary D. Creed	
Larry N. Rush	

Resolution of Appreciation - Jeffrey D. Johnson

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

WHEREAS, Jeffrey D. Johnson has served Montgomery County as County Administrator since March 1, 1997; and

WHEREAS, Under the leadership of ***Jeffrey D. Johnson***, Montgomery County has constructed a new Auburn Middle School, Eastern Montgomery High School, a new Blacksburg Middle School, a new Christiansburg Middle School; undertaken renovation of the former social services building for the Free Clinic of the New River Valley; completed the Huckleberry Trail; and

WHEREAS, Under the leadership of ***Jeffrey D. Johnson*** Montgomery County has renovated a former sewing factory to serve as the County Government Center, providing necessary office space while bringing life to an existing building owned by the County; and

WHEREAS, Jeffrey D. Johnson initiated the renovation of the Montgomery County Courthouse, which will expand the current facilities to over 111,000 square feet to meet the needs of citizens for 25 years into the future; and

WHEREAS, Under the leadership of ***Jeffrey D. Johnson***, Montgomery County has revised its zoning ordinance, updated the County’s Comprehensive Land Use Plan, expanded its county parks, expanded the Elliston/Lafayette Industrial Park to accommodate a 350,000 square foot facility for Rowe Furniture Company, bringing \$26 million of investment and a total of 800 jobs; expanded the Falling Branch

Corporate Park to accommodate a 100,000 square foot facility for Echo Star, bringing \$16 of investment and a total of 1400 new jobs; and

WHEREAS, Jeffrey D. Johnson initiated a countywide compensation and classification system; integrated the management information system; implemented a strategic technology plan; initiated creation of a Fire/Rescue Task Force; a Geographic Information System (GIS); centralized accounting; new financial and personnel policies; participation in the New River Valley Consortium; expanded consolidated solid waste collection site program by four sites; and

WHEREAS, Jeffrey D. Johnson created the first County public information office, created the first County human resources department, created the first Office of Emergency Services, re-organized County departments to increase effectiveness, creating a management team of department heads, and created the first County capital budget.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **Jeffrey D. Johnson** for his professional accomplishments and outstanding public service and dedication.

BE IT FURTHER RESOLVED, The original of this resolution be presented to **Jeffrey D. Johnson** and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
C.P. Shorter	
John A. Muffo	
Annette S. Perkins	
Mary W. Biggs	
Gary D. Creed	
Larry N. Rush	

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by Annette S. Perkins 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 (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

1. Prospective Industry

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

OUT OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by James D. Politis 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>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

CERTIFICATION OF CLOSED MEETING

On a motion by James D. Politis, seconded by C.P. Shorter 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

Mary W. Biggs
C.P. Shorter
James D. Politis
Annette S. Perkins
Gary D. Creed
John A. Muffo
Larry N. Rush

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

OTHER BUSINESS

The Board discussed the "Branding" efforts currently being conducted by the Roanoke Valley governments. This effort has been lead by the Roanoke Valley Economic Development Partnership and the 5th Planning

District Commission Alliance. The focus of this project entails establishing a brand name to identify the Roanoke Valley and the New River Valley geographic areas of one region. The brand name to be used to identify both regions as one entity for the purpose of economic development marketing efforts. Montgomery County has been requested, through the New River Economic Development Alliance, to join in and adopt the suggested brand name NEWVA. This acronym stands for natural beauty in the region; educational resources in the region; wealth to be created in the region from attracting new economy to the area; and VA stands for Virginia.

After thoughtful consideration, it was the unanimous consensus of the Montgomery County Board of Supervisors not to participate in this joint name branding effort. Further, the Board indicated its desire to continue to work and cooperate with the Roanoke Valley in the future in regard to efforts that would be of mutual benefit to both geographic regions.

ADJOURNMENT

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, December 15, 2003 at 7:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

The meeting adjourned at 8:55 p.m.