

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 23RD DAY OF APRIL, 2001 AT 7:15 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chair
	Larry N. Rush	-Vice Chairman
	John A. Muffo	-Supervisors
	Annette S. Perkins	
	James D. Politis	
	C.P. Shorter	
	Joe C. Stewart	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahan	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Steve Sandy	-Zoning Administrator
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS

An Ordinance Creating Chapter 9.3 of the Code of the County of Montgomery, Virginia, Entitled Cross Connection Control In Order To Establish And Enforce A Cross Connection Control And Backflow Prevention Ordinance.

There being no speakers, the public hearing was closed.

Special Use Permit

Anthony R. Graves requests a Special Use Permit in Agricultural (A-1) with possible conditions on 1.0 acres of a 41.194 acre tract to allow custom meat cutting and processing. The property is located at 2701 Flatwoods Road and is identified as Tax Parcel No. 45-A-33E in the Mount Tabor Magisterial District. The property lies in an area designated as Rural in the Comprehensive Plan.

There being no speakers, the public hearing was closed.

Rezoning Request

Georgia Anne Snyder-Falkinham (Agent Anderson & L. Associates, Inc.) requests to rezone 4.21 acres from Agricultural (A-1) to Manufacturing-Light (M-L), with possible proffered conditions, for offices and storage warehouses. The property is located on the south side of the proposed, revised Route 460 Bypass and West of Norfolk Southern Railroad Tunnel and is identified as Tax Parcel No. 067-A-161A in the Shawsville Magisterial District. The property lies in an area designated as Urban Expansion in the Comprehensive Plan.

Georgia Anne Snyder-Falkinham, applicant, said she was available to answer any questions the Board may have concerning her request for rezoning. Supervisor Stewart asked how close her property was to the County Animal Shelter. He believes there is a steep bank behind the shelter. Ms. Snyder-Falkinham stated it was adjacent to the Animal Shelter and there is a steep bank before it levels out and there would not be any construction along the bank.

Chris Workman, Anderson and Associates, agent for the applicant, briefly explained Ms. Snyder-Falkinham's request. He stated this was the first Manufacturing-Light rezoning in Montgomery County since the new zoning ordinance was adopted. Ms. Snyder-Falkinham proposes to construct offices and storage warehouses.

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

Special Use Permit

Peggy Morgan requests a Special Use Permit in Residential (R-3) with possible conditions on approximately 4.04 acres to allow a Manufactured Home, Class A. The property is located at 420 Merrimac Road and is identified as Tax Parcel No. 67-A-90 in the Prices Fork Magisterial District. The property lies in an area designated as Urban Expansion in the Comprehensive Plan.

Peggy Morgan, applicant, spoke on behalf of her request. She wants to place a double-wide on this property and was not aware of the new zoning ordinance, which does not permit mobile homes in a R-3 zoning. Ms. Morgan requested the Board to consider her request.

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

Rezoning Request

Beliveau Development Corp. (Agent: Yvan Beliveau) request to rezone 2.2 acres from

Agricultural (A-1) to Residential (RM-1), with possible proffered conditions, for multi-family or townhouse development. The property is located at 3030-3032 Peppers Ferry Road and is identified as Tax Parcel No. 64-A-33A in the Prices Fork Magisterial District. The property lies in an area designated as Urban Expansion in the Comprehensive Plan.

Yvan Beliveau, applicant, addressed the Board regarding his rezoning request. He proposes to construct a twenty-five unit duplex behind the existing house. The duplex units will not be seen from the road.

The Board of Supervisors expressed concerns regarding increased traffic and the number of new children that may attend Belview Elementary. Staff was instructed to contact the School Board to see how many children Belview Elementary can accommodate.

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

Comprehensive Plan Amendment

Montgomery County Planning Commission requests text amendments to the Montgomery County Comprehensive Plan regarding a regional approach to telecommunication towers. The proposed text amendments address the following issues related to telecommunication towers:

1. Uniform definition and approach to co-location
2. Uniform and consistent notification procedures
3. Uniform approach to siting of new towers
4. Uniform mapping of tower sites
5. Consistent use of consultants to assist jurisdiction in review of requests

There being no speakers, the public hearing was closed.

Rezoning Request

SAS Construction (Agent: Balzer & Associates, Inc.) request to rezone 27.74 acres from RM-1 (Residential) to R-3 (Residential) Compact Development. The property is Phase III of the Orchards located on Cherry Lane off of Clay Street and is identified as Tax Parcel Nos. 41-5-C,D,E,F (Account ID #'s 034756,034757,034758,035053) in the Mt. Tabor Magisterial District. The property lies in an area designated Urban Expansion in the Comprehensive Plan.

This Public Hearing was continued from March 26, 2001 and the applicant, SAS Construction, withdrew their request on April 10, 2001.

There being no speakers, the public hearing was closed.

DELEGATION

New River Valley Community Services Board

Mr. Lynn Chenault, Director of the New River Valley Community Services Board (NRVCSB), addressed the Board concerning the 15th Annual Alcohol Awareness Month and Kids in a Drug-Free Society Community Awareness Program. Mr. Chenault stated that one of the many services NRVCSB offers is preventing and treating youth alcohol abuse through the New Life Recovery Center. Mr. Chenault at this time introduced Brian St. John, a teen recovering alcoholic and drug addict, who went through the alcohol and drug program. Mr. St. John told his story of alcohol and drug abuse and how it started when he was in the eighth grade. He said he was thankful there were programs such as the one NRVCSB offers to help with teens and adults through their abuse problems.

PUBLIC ADDRESS SESSION

Stacy Snyder addressed the Board concerning the State Corporation Commission's decision to allow the merger between NCC and Virginia Gas Pipeline and the construction of a gas pipeline. Ms. Snyder requested the Board to support her lawsuit filed with the Virginia Supreme Court by submitting an amicus curae brief regarding the granting of a certificate by the State Corporation Commission to Virginia Gas to construct a gas pipeline.

The County Attorney informed the Board that one has 45 days to appeal and there were legal procedures that have to be followed. The Board requested the County Attorney to investigate the proper procedures and contact Ms. Snyder with the information.

Tanya Helms spoke in support of the proposed library in Elliston. She is the PTA president at the Elliston/Lafayette Elementary School. Ms. Helms stated a new library would be a wonderful opportunity for the children in Elliston. The community of Elliston and Shawsville are growing and there is a need for a library. She urged the Board to approve funding for the library.

Margaret Smith addressed the Board concerning the Board's desire to provide adequate water and sewer for residents in Montgomery County. She also expressed her concerns with Montgomery County interest in joining the Blacksburg-Christiansburg-VPI Water Authority. Ms. Smith requested the Board consider the following before making a request to join the Authority: 1. The County currently has an RFP for a consultant to analyze the structure of the Public Service Authority and the County should wait for the results of this study before making any decisions; 2. The County is just beginning its evaluation and revision of the Comprehensive Plan. How can the County provide accurate information on where it plans to direct water and development; and 3. If the County were to join the water authority, the rate would go down, but surely

April 23, 2001

Page 4 of 21

the County would have to make some kind of investment, they would not be allowed to join for free. Ms. Smith requested the Board to remove the resolution from the Consent Agenda until more information is acquired.

AMEND AGENDA

On a motion by Larry N. Rush, seconded by C.P. Shorter and carried unanimously, the agenda is amended to include Board's action on Peggy Morgan's Special Use Permit.

The vote on the foregoing motion was as follows:

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

Special Use Permit - Peggy Morgan

On a motion by Larry N. Rush, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Peggy Morgan's request for a Special Use Permit; (Tax Parcel No. 67-A-90) to allow a manufactured home Class A (multi-sectional), located at 420 Merrimac Road in the Prices Fork Magisterial District is hereby approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Annette S. Perkins	
Joe C. Stewart	
James D. Politis	

C.P. Shorter
Larry N. Rush
Mary W. Biggs

Supervisor Stewart left the meeting at 8:45 p.m.

INTO WORK SESSION -REDISTRICTING

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

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

1. Proposed Redistricting Plan from the Redistricting Committee

The vote on the foregoing motion was as follows:

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

OUT OF WORK SESSION

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, That 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>
C.P. Shorter	None	Joe C. Stewart
James D. Politis		
Annette S. Perkins		

John A. Muffo
Larry N. Rush
Mary W. Biggs

ADD TO THE AGENDA - ADDENDUM

On a motion by C.P. Shorter, seconded by Larry N. Rush and carried unanimously, the following addendum dated April 23, 2001 was added to the agenda:

Closed Meeting

Section 2.1-344 (A) (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Shelor v. Commissioner of Revenue

The vote on the foregoing motion was as follows:

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

At the request of Supervisor Muffo, the following two items were removed from the Consent Agenda and added under Old Business:

1. Rezoning Request Withdrawal - Valley Mechanical Contractors, Inc.
2. Rezoning Request Withdrawal - SAS Construction, LLC

CONSENT AGENDA

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously, the Consent Agenda as amended was approved:

The vote on the foregoing motion was as follows:

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

Approval of Minutes

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously, the minutes dated March 21, 2001 were approved.

Library - Supplemental Appropriation

On a motion by John A. Muffo, seconded by C.P. Shorter 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, 2001 for the function and in the amount as follows:

710	Montgomery Library	\$	154,265
720	Floyd Library		<u>35,565</u>
	Total	\$	189,830

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

Revenue Account

02710-416160	Town of Christiansburg Contribution	\$	7,000
--------------	-------------------------------------	----	-------

02710-416159	Town of Blacksburg Contribution	1,000
02710-415211	Sale of Photocopies	(1,300)
02710-415213	Sale of Computer Paper	(1,200)
02710-424409	State Library Grant	45,173
02710-416158	Donations	2,341
02710-419108	Recovered Costs	717
02710-419119	Gates Grant	84,784
02710-424401	State Grant	15,750
02720-419119	Gates Grant	21,500
02720-416158	Donations	2,454
02720-419108	Recovered Costs	18
02720-416157	Town of Floyd Contribution	(1,000)
02720-424409	State Library Grant	<u>12,593</u>
	Total	\$ 189,830

Said resolution appropriates additional funds for use by the Library.

Request Consideration for Montgomery County to Join Blacksburg/Christiansburg/VPI Water Authority

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The Town of Blacksburg, the Town of Christiansburg and Virginia Polytechnic Institute and State University joined together to form the Blacksburg/Christiansburg/VPI Water Authority; and

WHEREAS, The Blacksburg/Christiansburg/VPI Water Authority was chartered by the State Corporation Commission in September, 1954; and

WHEREAS, Montgomery County did not join the Authority at that time; and

WHEREAS, Montgomery County now desires to become a member of the Authority.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby requests the Town of Blacksburg, the Town of Christiansburg, and Virginia Polytechnic Institute and State University to consider Montgomery County's request to join the Blacksburg/Christiansburg/VPI Water Authority.

Request Speed Study - Crozier Road (SR 833)

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia has received a petition from concerned citizens requesting a speed limit of 25 mph be established and posted on Crozier Road (State Route 833) from the entrance at US 11/460 to the end of Crozier Road; and

WHEREAS, Pursuant to the Board's policy adopted November 12, 1996, this petition contains the signatures of at least 50% of the property owners along the specified road.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors hereby respectfully requests the Virginia Department of Transportation (VDOT) to conduct a speed study on said road to determine the feasibility of posting a speed limit to improve the safety of this area.

Acknowledge Speed Study - McCoy Road (SR 652)

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors has expressed concerns relative to conditions and safety on McCoy Road (SR 652); and

WHEREAS, By resolution dated February 21, 2001 the Board of Supervisors requested the Virginia Department of Transportation to conduct a speed study on said road to determine the feasibility of reducing the speed limit to improve the safety of this area; and

WHEREAS, The Resident Engineer has responded that a speed study has been completed by VDOT's Traffic Engineering Division; and

WHEREAS, As a result of the speed study, the Department of Transportation does not recommend reducing the speed limit at this time, but does recommend closing Tucker Road (SR 736) due to several accidents occurring; and

WHEREAS, Several accidents have occurred at the intersection of McCoy Road (SR 652) and Tucker Road (SR 736).

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia acknowledges receipt of the Resident Engineer's report that no speed limit reduction on McCoy Road (SR 652) will be undertaken at this time, and extends its appreciation to the Virginia Department of Transportation for the report.

Renewal of Agricultural and Forestal District - 6 (South of Shawsville)

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, Agricultural and Forestal District-6 (South of Shawsville) encompassing 6 landowners and over 1,500 acres is scheduled to expire on December 31, 2001; and

WHEREAS, Section 15.2-4311 of the Code of Virginia and Section 2-152 of the Code of Montgomery provide for the orderly review and renewal of such districts.

THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County does hereby direct the Advisory Committee on Agricultural and Forestal Districts and the Planning Commission to commence the review and renewal process for AFD-6.

Resolution of Recognition -National County Government Week-April 22-28, 2001

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, County government traces its roots to the English shire of a thousand years ago, serving as the citizen's local government voice since its inception; and

WHEREAS, When the federal government was formed, the framers of the Constitution chose to provide states with the freedom to create county governments; and

WHEREAS, Early state constitutions conceptualized the importance of county government and its dual value to both the state and federal governments; and

WHEREAS, Changes in structure and greater autonomy from the states, rising revenues and stronger political accountability have ushered in a new era for county governments as they begin the 21st century; and

WHEREAS, Technology plays a huge role in our lives today, bringing about changes in nearly everything that we do, and counties are using technology to improve the delivery of services and communication to citizens; and

WHEREAS, In the past county governments seized opportunities and met challenges that confronted them; today, county governments continue to be the citizen's local government voice and are the governments of the future, providing solutions that bring communities together.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, in recognition of the leadership, innovation and valuable service provided by our nation's counties hereby proclaims *April 22-28, 2001 National County Government Week*.

Industry Appreciation Week

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors recognizes the role of existing businesses and industries in the thriving economy of Montgomery County; and

WHEREAS, Existing businesses and industries provide essential employment opportunities for the citizens of Montgomery County; and

WHEREAS, Existing businesses and industries make significant contributions to promote educational opportunities and a variety of activities which increases the quality of life in the County; and

WHEREAS, Existing businesses and industries provide revenues from which the entire citizenry benefits.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby recognizes the existing businesses and industries of Montgomery County.

FURTHER, BE IT RESOLVED, That the Board of Supervisors hereby declares the week of **May 13-19, 2001, Industry Appreciation Week** in Montgomery County.

APPOINTMENTS

New River Valley Visitor's Alliance

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby reappoints **James D. Politis** to Virginia's New River Valley Visitor's Alliance effective May 9, 2001 and expiring May 8, 2002.

OLD BUSINESS

Rezoning Request Withdrawal - Valley Mechanical Contractors, Inc.

On a motion by John A. Muffo, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request of Valley Mechanical Contractors, Inc. to withdraw their proposed rezoning of 0.58 acre from Agriculture (A-1) to Community Business (CB) on property located at 2869 Riner Road (Tax Parcel No. 106-A-17) is hereby accepted in accordance with Section 10-54(1)(f) of the Zoning Ordinance.

The vote on the foregoing motion was as follows:

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

Rezoning Request Withdrawal - SAS Construction LLC

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request of SAS Construction LLC and The Orchards Homeowners to withdraw their proposed rezoning of 27.74 acres from Residential Multiple Family (RM-1) to Residential (R-3) on property located on Cherry Lane off Clay Street (Tax Parcels No. 41-5-C, D, E and F) is hereby accepted in accordance with Section 10-54(1)(f) of the Zoning Ordinance.

The vote on the foregoing motion was as follows:

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

NEW BUSINESS

Registrar: Transfer from General Contingencies

On a motion by John A. Muffo, seconded by C.P. Shorter and carried,

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

FROM:

950 General Contingencies (\$15,100)

TO:

170 Registrar \$15,100

Said resolution transfers funds from General Contingencies to the Registrar's Office to cover expenses associated with the Democratic Primary Election to be held in June 2001.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	James D. Politis	Joe C. Stewart
John A. Muffo		
Larry N. Rush		
C.P. Shorter		
Mary W. Biggs		

Commissioner of Revenue - Appropriation and Transfer from General Contingencies

On a motion by Annette S. Perkins, seconded by John A. Muffo 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, 2001, for the function and in the amount as:

150	Commissioner of Revenue	\$7,066
152	Assessing	<u>\$1,681</u>
	Total	\$8,747

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

<u>Revenue Account</u>	
423100 Shared Expense	\$7,066
19108 Recovered Costs	<u>\$1,681</u>
Total	\$8,747

BE IT FURTHER RESOLVED, That a transfer is hereby authorized as follows:

FROM:

950 General Contingencies	(\$ 5,468)
---------------------------	------------

TO:

150 Commissioner of Revenue	\$ 168
152 Assessing	<u>\$5,300</u>
Total	\$5,468

Said resolution adjusts the Commissioner of Revenue's capital outlay budget to reconcile with the Compensation Board approved amounts, appropriates recovered costs, transfers funds from General Contingencies to meet the County's share of Compensation Board amounts and to cover additional postage and forms expense.

The vote on the foregoing motion was as follows:

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

Commonwealth's Attorney - Appropriation and Transfer from General Contingencies

On a motion by James D. Politis, seconded by Annette S. Perkins 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, 2001, for the function and in the amount as:

200 Commonwealth's Attorney	\$7,925
-----------------------------	---------

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

Revenue Account

423100 Shared Expense \$7,925

BE IT FURTHER RESOLVED, That a transfer is hereby authorized as follows:

FROM:

950 General Contingencies (\$ 2,530)

TO:

200 Commonwealth's Attorney \$ 2,530

Said resolution adjusts the Commonwealth's Attorney's capital outlay budget to reconcile with the Compensation Board approved amounts and transfers funds from General Contingencies to meet the County's share of Compensation Board amounts.

The vote on the foregoing motion was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

Fire & Rescue The County Administrator reported that Montgomery County allows one vehicle owned or leased by any active member of a volunteer rescue squad or fire department have a free county decal. It has come to his attention that several volunteer's vehicles are titled in their parents name; preventing them from getting a decal. The County Attorney was asked to check the state code to see what they were allowed to do.

Regional Economic Development Alliance The County Administrator reported the Regional Economic Development Alliance was discussed at the County/Town Liaison meeting. Montgomery County is funding a higher percentage than other localities including the Town of Blacksburg and Christiansburg.

County/Town Liaison The County Administrator reported that discussions at the last County/Town Liaison

included redistricting, Blacksburg-Christiansburg-VPI Water Authority, Bus Visitation Program, and boundary lines.

BOARD MEMBERS' REPORTS

Supervisor Shorter requested staff to contact VDoT and have them provide the results of the speed study conducted on McCoy Road.

Consolidated Collection Sites Supervisor Shorter received several calls about the consolidated collection sites closing at 6:00 p.m. He believes during the summer they should stay open until 7:00 p.m. Supervisor Politis also stated he received calls about the hours. The County Administrator indicated there should be no problem with the sites closing at 7:00 p.m.

Fire and Rescue Supervisor Shorter requested that the Board schedule a work session with the Fire and Rescue members about capital purchase of fire and rescue vehicles and equipment. The Chair indicated she would try to arrange this and asked the Board members to provide available dates.

Supervisor Perkins requested that VDoT be contacted about Gallion Ridge Road. This is an unpaved road and is in need of regrading and new gravel.

Economic Development Commission Supervisor Perkins stated the last EDC meeting was held at Echo Star. Industry Appreciation Week is May 13-19, 2001 with a barbeque planned for May 17, 2001. Supervisor Muffo reported that Broomin and Bloomin was held on Saturday, April 21, 2001, with a good turn out. VDOT provided 8 trucks out to help with the cleanup and the Towns of Blacksburg and Christiansburg provided 2 trucks each. Supervisor Muffo sent out a special thanks to Linda Crable, Assistant Director of General Services, for her dedication and hard work with Broomin & Bloomin.

Supervisor Biggs asked if the Board was interested in having one day where citizens would be allowed to bring trash into the Landfill free in conjunction with Broomin & Bloomin. Board members can forward their ideas to the Chair.

Government Day Supervisor Biggs reported that Government Day was held April 23, 2001 and it went well. She thanked staff for a job well done.

Zoning Ordinance - Water and Sewer in Agriculture Supervisor Biggs reported that she has had several requests for the Board to review the current zoning ordinance about allowing water and sewer lines in areas zoned agriculture. She asked if the Board would like to keep the ordinance as is or look into other possibilities.

RSVP Luncheon The annual RSVP Luncheon is scheduled for April 26, 2001 for any Board Members interested in attending.

Tucker Road (SR 636) Supervisor Biggs received a letter from Sheriff Doug Marrs, as Chairman of the Transportation Safety Commission, stating that the Transportation Safety Commission unanimously recommends that Tucker Road (SR 636) be closed. A letter from Dan Brugh, VDOT, dated April 4, 2001 stated that the speed study conducted on McCoy Road (SR 652) indicated several accidents have occurred at the intersection of McCoy Rd and Tucker Road and the study strongly recommends closing Tucker Road. By consensus of the Board it was agreed that closing Tucker Road was not appropriate at this time and the Chair was authorized to send a letter to the Transportation Safety Commission stating this fact.

INTO CLOSED MEETING

On a motion by James D. Politis, seconded by John A. Muffo and carried unanimously,

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

Section 2.1-344 (A) (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Shelor v. Commissioner of Revenue

The vote on the foregoing motion was as follows:

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

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, That 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>
Larry N. Rush	None	Joe C. Stewart
C.P. Shorter		
James D. Politis		
Annette S. Perkins		
John A. Muffo		
Mary W. Biggs		

CERTIFICATION OF CLOSED MEETING

On a motion by Larry N. Rush, seconded by John A. Muffo 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 2.1-344.1 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

C.P. Shorter

John A. Muffo
Annette S. Perkins
James D. Politis
Larry N. Rush
Mary W. Biggs

NAYS

None

ABSENT DURING VOTE

Joe C. Stewart

ABSENT DURING MEETING

Joe C. Stewart

ADJOURNMENT

On a motion by C.P. Shorter, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, May 7, 2001 at 7:45 p.m. or soon thereafter.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 11:05 p.m.