

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 29TH DAY OF MAY, 2001 AT 7:15 P.M. IN COURTROOM B, 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	
	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

ABSENT: Joe C. Stewart -Supervisor

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS

Special Use Permit

Johnny H. & Carolyn S. Jones request a Special Use Permit in Agriculture (A-1), with possible conditions, on Tax Parcel No. 79-3-19A (Account ID #026404) for a contractor's equipment storage yard. Property is located at 1819 Ellett Road approximately 700 feet north of the intersection with Pike Lane in the Shawsville Magisterial District. The property lies in an area designated Agriculture/Conservation in the Comprehensive Plan.

Johnny Jones, applicant, spoke on behalf of his request for a special use permit for a contractor's equipment storage yard. He requested the maximum building height be increased to 22 feet, to match the existing adjacent roofline.

Amendment to the Montgomery County Zoning Ordinance

Montgomery County Planning Commission requests revisions to the following sections of the Montgomery County Zoning Ordinance: §10-21. A-1 Agriculture, §10-23. R-R Rural Residential, §10-24. R-1 Residential, §10-25. R-2 Residential, §10-26. R-3 Residential, §10-27. RM-1 Multiple-Family Residential, §10-28. GB General Business, §10-29. CB Community Business, §10-30. M-1 Manufacturing, §10-31. M-L Manufacturing-Light, §10-33. Planned Industrial, §10-34. PUD-COM Planned Unit Development-Commercial, §10-35. PUD-RES Planned Unit Development-Residential, §10-37. Flood damage prevention overlay, §10-39. Route 177 Corridor Overlay, §10-41. Supplemental District regulations, §10-45. Sign Regulations, §10-46. Performance Standards, §10-48. Additional regulations for special uses, §10-53. Required development approvals, §10-54. Special development approvals, and §10-61. Definitions. A complete listing of all proposed revisions is available upon request from the Department of Planning and Inspections.

Rick Whitney expressed concerns with the proposed changes to the Zoning Ordinance. Mr Whitney spoke about compact development in Rural Residential Districts and also addressed the establishment and maintenance of private roads being amended.

Larry Martin spoke about the requirements for state roads in the Rural Residential Districts and the problems that will be created for the developer if these requirements are approved.

PUBLIC ADDRESS SESSION

Curtis Montgomery of the Sunnyside/Tom's Creek Veterans' Association asked the Board to provide support and monetary contributions to help develop a memorial park honoring veterans. The small park will be home to a memorial which will honor many veterans. The Sunnyside/Tom's Creek community is, and has been, a home to more than fifty World War II veterans, twelve World War I veterans, seven Korean veterans and ten Vietnam veterans. Mr. Montgomery stated that the purpose of the association is to honor the many veterans that sacrificed so much to give us the great country we enjoy today.

INTO WORK SESSION

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

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purpose of discussing the following:

Financial Forecast - Public Service Authority

Mr. Wally Cox, Robinson, Farmer, Cox Associates, presented the financial forecast for the Public Service Authority. Mr. Cox reported that an average 25% increase in revenues for water and sewer service should be in place effective Fiscal Year 2001-02. This revenue increase is required to implement the PSA's Capital Improvement Plan.

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 WORK SESSION

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

CONSENT AGENDA

On a motion by Annette S. Perkins, seconded by C.P. Shorter and carried unanimously, the Consent Agenda dated May 29, 2001 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		

RSVP - Additional Appropriation

On a motion by Annette S. Perkins, 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:

520	Retired Senior Volunteer Program (RSVP)	\$1,997
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The source of the funds for the foregoing appropriation is as follows:

Revenue Accounts:

433107	RSVP-Grant	\$1,997
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Said resolution appropriates additional funds received for equipment and office supplies from the Corporation for National Service Grant.

Planning and Inspections - Insurance Recoveries

On a motion by Annette S. Perkins, 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:

800	Planning and Inspections	\$ 927
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The source of the funds for the foregoing appropriation is as follows:

Revenue Accounts:

441101	Insurance Recoveries	\$927
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Said resolution appropriates insurance recovery from an accident.

Insurance - Recovered Costs

On a motion by Annette S. Perkins, 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:

132	Insurance	\$ 1,313
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

441101	Insurance Recovered Costs	\$1,313
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Said resolution appropriates recovered costs from an insurance claim.

Sheriff - Additional Appropriation

On a motion by Annette S. Perkins, 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:

310	Sheriff-County/State	\$ 2,314
320	Sheriff-100% County	<u>\$ 32,865</u>
		\$ 35,179

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

Revenue Account

441101	Insurance Recoveries	\$ 2,314
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419108	Recovered Cost- Sheriff	<u>\$ 32,865</u>
		\$ 35,179

Said resolution appropriates recovered costs for security duty to local establishments and Virginia Tech ball games, insurance recoveries for accidents and restitution by inmates for destruction of jail property.

Sheriff - Wireless E-911 Grant Funding

On a motion by Annette S. Perkins, 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:

321	Sheriff-Grants	\$71,925
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	State Grants-Sheriff	\$71,925
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Said resolution appropriates the state monies provided for equipment and services to implement wireless emergency telecommunications services.

School Operating Fund - Additional Appropriation

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating 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:

09	<u>School Operating Fund</u>	
	561000 Instruction	\$196,908
	564000 Operation/Maintenance	<u>\$ 88,660</u>
	Total	\$285,568

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

Revenue Account:

418301	Refunds and Rebates	\$ 99,465
433206	GAPS Education	\$118,758
424310	Governors School	\$ 14,538
433205	ECIA-Title IV	<u>\$ 52,807</u>
	Total	\$285,568

Said resolution appropriates additional monies for the School Operating Fund.

Addition to Secondary System of State Highways - Fairview Drive

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

WHEREAS, The street described below is shown on a plat recorded in the Clerk's Office of the Circuit Court and currently serves at least 3 families per mile; and

WHEREAS, The Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-229 Code of Virginia; and

WHEREAS, After examining the ownership of all property abutting the street, this Board finds that speculative interest does not exist.

NOW THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Virginia Department of Transportation to add the following street to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia:

ADDITION:

Fairview Subdivision

<u>Name of Street:</u>	Length
Fairview Drive	
From: Route 669	0.13 Mi
To: Cul-De-Sac	

Plat Recorded: December 9, 1999

Plat Book: 19 Page 315

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way of

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50', as described, and any necessary easements for cuts, fills, and drainage; and

BE IT FURTHER RESOLVED, This Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to Section 33.1-229, Code of Virginia; and

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

Addition to Secondary System of State Highways -Fieldcrest Drive and Salisbury Lane

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

WHEREAS, The street described below is shown on a plat recorded in the Clerk's Office of the Circuit Court and currently serves at least 3 families per mile; and

WHEREAS, The Virginia Department of Transportation has deemed this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to Section 33.1-229 Code of Virginia; and

WHEREAS, After examining the ownership of all property abutting the street, this Board finds that speculative interest does not exist.

NOW THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Virginia Department of Transportation to add the following street to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia:

ADDITION:

Hillcrest Subdivision

<u>Name of Street:</u>	<u>Length</u>
<u>Fieldcrest Drive</u> From: SR 669 Union Valley Road To: Cul-De-Sac Plat Recorded: April 11, 2000 Plat Book: 20 Page 67	0.43 Mi
<u>Salisbury Lane</u>	0.17 Mi

From: SR 1091 Fieldcrest Drive
To: Cul-De-Sac
Plat Recorded: April 11, 2000
Plat Book: 20 Page 67

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way of 50', as described, and any necessary easements for cuts, fills, and drainage; and

BE IT FURTHER RESOLVED, This Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to Section 33.1-229, Code of Virginia; and

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

OLD BUSINESS

Conveyance of Ingress and Egress Easement- Triton Communications

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

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of ingress and egress easement to Triton, over the existing fifty (50') foot ingress and egress easement reserved to American Electric Power on the County's 12.378 acre parcel located adjacent to Shelor Lane (commonly referred to as the property dedicated by AEP to the County of Montgomery).

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is hereby authorized to execute the necessary documents on behalf of the Board of Supervisors of the County of Montgomery.

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

NEW BUSINESS

Capital Budget

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

WHEREAS, The Capital Improvement Program (CIP) plan has been developed for a 5-Year period, FY 2001-2002 through FY 2005-2006; and

WHEREAS, This 5-Year CIP has been reviewed and approved by the Planning Commission; and

WHEREAS, The debt service costs for the FY 2001-02 CIP projects were approved as a part of the FY 2001-02 Operating Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby approves the CIP Plan for Fiscal Years 2001-2002 through 2005-2006 for planning purposes.

FURTHER, BE IT RESOLVED, The FY 2001-02 Capital Projects and the FY 2001-2002 Capital Budget are approved for funding.

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		

Issuance of Bonds by the Industrial Development Authority

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

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia (the "Authority"), has considered the application of a non-profit organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), whose principal business address is Virginia (the "Applicant"), requesting the issuance of the Authority's revenue bonds in a principal amount

not to exceed \$40,000,000 (the “Bonds”), the proceeds of which will be used to assist the Applicant in financing or refinancing acquisition, construction, renovations and improvements to various facilities owned by the Applicant, for the benefit of the Virginia Polytechnic Institute and State University (the “University”), located in Montgomery County, Virginia (the “County”), as well as in the Cities of Alexandria and Roanoke, Virginia (the “Cities”); and

WHEREAS, Proceeds of the Bonds will be used, together with other funds of the Applicant, to pay related costs of issuance and costs of the following: (i) financing the cost of construction of: a Research Building XV to be located at 1880 Pratt Drive in Blacksburg, a Student Services building to be located west of Ambler-Johnson Hall on Washington Street in Blacksburg, an addition to the northeast side of the existing Southgate Center located off Southgate Drive adjacent to the University football stadium in Blacksburg, each to be owned by the Applicant and leased to the University, and a storage space for vehicles and equipment necessary for Smart Road operation to be located at 3500 Transportation Plaza in Blacksburg and to be owned by the Applicant and leased to the University for use by the Virginia Tech Transportation Institute, and to the Virginia Department of Transportation; (ii) financing the cost of approximately 323 acres of land in Blacksburg located north of Merrimac Road, east of Stroubles Mill subdivision and southwest of property owned by the University that is adjacent to U.S. Route 460, to be used by the Applicant for future development in support of the University; (iii) financing a portion of the cost of acquisition and the cost of construction of a building at 121 Duke of Gloucester Street in Roanoke to be owned by the Applicant and used by its WVTF radio station; (iv) refinancing of: the Andrews Building located at 1700 Pratt Drive in Blacksburg, the Moss Building located at 1900 Kraft Drive in Blacksburg, and the Research Building II located at 1861 Pratt Drive in Blacksburg, each owned by the Applicant and leased to the University and private tenants for research purposes, and the Founders Building located at 1800 Kraft Drive in Blacksburg, owned by the Virginia Tech Corporate Research Center, Inc., a subsidiary of the Applicant; (v) refinancing the building located at 1001 Prince Street, Alexandria, owned by the Applicant and leased to the University; and (vi) financing the acquisition and renovation of adjacent property at 1021 Prince Street in Alexandria, including a three story office building and a garage and parking deck to be leased by the Applicant to the University (collectively the “Projects”); and

WHEREAS, Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the “Virginia Code”), provide that the highest elected governmental unity of the locality having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds, and since the Authority issues bonds on behalf of the County, certain of the Projects are located in the County and the Board of Supervisors of the County (the “Board”) constitutes the highest elected governmental unit of the County, the Board is required to approve issuance of the Bonds; and

WHEREAS, Following a public hearing with respect to the Projects located in the County and in Roanoke, on May 15, 2001, the Authority adopted a resolution (the “Inducement Resolution”) in which it recommended and requested that the Board approve issuance of the Bonds by Authority, and previously following a public hearing with respect to the Projects located in Alexandria, on May 8, 2001, the Industrial Development Authority of the City of Alexandria, Virginia (the “Alexandria Authority”) had adopted a

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resolution recommending approval of the issuance of Bonds to finance such Projects, and a copy of the Inducement Resolution, a brief summary of the Authority's public hearing, as well as a copy of the Alexandria Authority's resolution and a brief summary of the public hearing held by the Alexandria Authority, and the Applicant's Fiscal Impact Statements with respect to the Projects have been filed with the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA:

1. The Board approves the issuance of the Bonds by the Authority in a principal amount not to exceed \$40,000,000 for the benefit of the Applicant, as required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Authority to assist in the financing or refinancing of the Projects.
2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the creditworthiness of the Applicant and, as required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that neither the County, the Cities nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the County, the Cities and the Authority, shall be pledged thereto.
3. This resolution shall take effect immediately upon its adoption.

The vote on the foregoing resolution was as follows:

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

Wireless Communications Structure Assessment - 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 (\$32,100)

TO:

800 Planning & Inspections \$32,100

Said resolution transfers funds from General Contingencies to Planning and Inspections to cover the cost of the consulting fees for the conduct of a countywide wireless communications structure assessment.

The vote on the foregoing motion was as follows:

AYE

C.P. Shorter

James D. Politis

Annette S. Perkins

John A. Muffo

Larry N. Rush

Mary W. Biggs

NAY

None

ABSENT

Joe C. Stewart

Virginia Tech/Montgomery County Regional Airport Authority - Appropriation and Transfer from General Contingencies

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

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:

910	Other Agencies	\$40,629
	Virginia Tech /Montgomery County	
	Regional Airport Authority	

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

Revenue Account

419108 Recovered Costs \$40,629
Virginia Tech /Montgomery County
Regional Airport Authority

Said resolution appropriates recovered costs received from Virginia Tech, Town of Blacksburg, and the Town of Christiansburg for their share of the cost associated with the formation of Virginia Tech /Montgomery County Regional Airport Authority.

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

FROM:

950 General Contingencies (\$13,544)

TO:

910 Virginia Tech /Montgomery County \$13,544
Regional Airport Authority

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		

Juvenile And Domestic Relations Court - Transfer From General Contingencies

On a motion by James D. Politis, seconded by Larry N. Rush 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 (\$2,995)

TO:

230 Juvenile and Domestic Relations Courts \$2,995

Said resolution transfers funds from General Contingencies to the Juvenile and Domestic Relations Courts for the purchase of a copier.

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
Larry N. Rush		Joe C. Stewart
C.P. Shorter		
James D. Politis		
Mary W. Biggs		

Montgomery County Health Department - Transfer From General Contingencies

On a motion by C.P. Shorter, seconded by John A. Muffo 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 (\$16,677)

TO:

530 Public Health \$16,677

Said resolution transfers funds from General Contingencies for the County's cooperative share for the Montgomery County Health Department.

The vote on the foregoing motion was as follows:

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

Payment of Leave Balances

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

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

FROM:

960 Special Contingencies (\$26,000)

TO:

700	Parks & Recreation	\$15,000
800	Planning & Inspections	<u>\$11,000</u>
	Total	\$26,000

Said resolution transfers funds from Special Contingencies to cover the payment of unbudgeted leave balances for two employees retiring from County service.

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		

Resolution of Appreciation - Broomin' and Bloomin' Annual Cleanup

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

WHEREAS, The Montgomery County Board of Supervisors supported and endorsed the 18TH Annual '**Broomin' and Bloomin'**' clean-up day held on Saturday, April 21, 2001: and

WHEREAS, The Montgomery County Board of Supervisors understands that numerous private and public organizations and over 811 volunteers participated in this effort; and

WHEREAS, The Montgomery County Board of Supervisors is aware that over 92,684 pounds of debris has been collected, including 1,189 tires and additional tonnage is anticipated in conjunction with the overall Broomin' and Bloomin' effort.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors extends a unanimous vote of appreciation to the **Montgomery County Improvement Council** on the

successful coordination of this effort.

FURTHER, BE IT RESOLVED, That all organizations and individuals contributing to this effort are hereby recognized and commended for their contribution toward the beautification effort in Montgomery County.

The vote on the foregoing resolution 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		
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

COUNTY ATTORNEY'S REPORT

County-Wide Speed Limit The County Attorney reported that he reviewed the State Code at the Board's request to see if a County wide speed limit could be enforced. He stated that the governing body could increase/decrease speed limits within boundaries provided by a traffic engineer study within the county limits. The governing body could not dictate what speed limit can be enforced in the town limits. At the consensus of the Board, the County Attorney was given authorization to proceed with a study.

COUNTY ADMINISTRATOR'S REPORT

Performance Management Plan & 2001 International Personnel Management Association - Survey

The County Administrator reported that the International Personnel Management Association conducted a survey on performance management. The survey indicated more government entities are going towards performance based evaluations. A copy of the survey was included in the agenda packet for the Board's review.

The County Administrator also asked what the Board wanted to do on the County's performance management plan.

It was the consensus of the Board to continue development of the County's performance management compensation plan, and requested more information on the specifics of the program, the process, and the costs.

General District Court The County Administrator's Office and the Information Desk have received numerous complaints about the answering machine being used by the General District Court. When General District Court is called a recorded message is played which is approximately 2 ½ minutes long. At the end of the message you get another number to call if you want to speak to someone. This is the court's decision and the County cannot dictate what the court system can or cannot do.

Employee Recognition Dinner The Employee Recognition Dinner is scheduled for Friday June 15th 6:30 p.m.

BOARD MEMBERS' REPORTS

Supervisor Politis expressed concerns with the problem with substance abuse among teenagers in Montgomery County. He would like to get the communities and schools more involved in getting awareness about substance abuse to the children.

By consensus, the Board agreed to discuss implementing substance abuse awareness programs in the schools with the School Board at their joint meeting on June 7, 2001.

Firetower Road/Mudpike Road Supervisor Politis received a call concerning trucks leaving Turman Lumber. The trucks, when rounding the curve at the intersection of Firetower Road and Mudpike, drop off loose debris such as wood particles and rocks, into the ditches and yards. The culverts are stopped up with this debris. The County Administrator will contact the Sheriff's Department and ask that his area be patrolled.

Brush Creek Road Supervisor Politis reported there is a soft shoulder on Brush Creek Road approximately one mile from his house. He requested VDoT be contacted to have this looked at.

Five Points Road / Union Valley Road Supervisor Politis received a call about work being done at the old store near the intersection of Five Points Road and Union Valley Road. The sidewalk has been torn up and needs to be repaired.

Supervisor Perkins reported that information from the Planning District Commission meeting was included in the packet for the Board's review.

Workforce Investment Act (WIA) Supervisor Perkins attended the WIA on this date. The WIA continues to work on their strategic plan.

Human Service Commission Supervisor Perkins reported that Bob Griffith, Census Director for Southwest Virginia, spoke at the Human Services Commission meeting. Mr. Griffith presented interesting facts about

the Census.

Industrial Appreciation Week Supervisor Perkins commended the Economic Development staff on all their hard work for making the Industrial Appreciation Week a success.

Supervisor Shorter Fire & Rescue Supervisor Shorter reported that the work session held between the Board of Supervisors and the Fire and Rescue members was very successful. It was agreed a task force should be created and Supervisor Shorter, along with Chair Biggs, agreed to meet to set policies, goals and the criteria for the task force.

Glade Road/Brooksfield Road/Mt. Zion Road - Supervisor Shorter received a call about the culverts being stopped up at the intersections of Glade/Brooksfield/Mt. Zion Road. A resident who lives in the community has been trying to clean out the culverts. Supervisor Shorter requested VDOT be contacted about this problem.

SunnySide/Tom's Creek Veterans War Memorial Supervisor Shorter suggested the County contribute funding to the SunnySide/Tom's Creek Veterans War Memorial. He believes this is for a good cause and would like for the County to help in some way. The County Administrator reported he would see how the County contributed to other request in the past.

Supervisor Rush Virginia's First Regional Industrial Facilities Authority Supervisor Rush reported a new project is underway. They do not have a lot of information at the moment but he will keep the Board informed of any new developments.

Supervisor Biggs reported that the Proposed Teachers and Administrative Salary Scales for 2001-2002 are provided in the packet for the Board's review.

Supervisor Biggs reminded the Board of the following meetings:

May 31, 2001	Joint Meeting with the School Board
June 5, 2001	Redistricting Committee Appreciation Dinner
June 6, 2001	Tour of HALEOS (Formally ACT Devices)
June 15, 2001	Employee Recognition Dinner

County/Town Liaison Meeting - Several items were discussed at the County/Town Liaison meeting which included a Public Safety Training Building. The Town of Blacksburg asked if the County would like to participate in the cost of constructing a Public Safety Training Building. The County Administrator said he would get more information from the Town of Blacksburg as to the cost and use of the building. They also discussed the Town of Blacksburg being designated an Urban Area by the Census. The Town of Blacksburg said if this were to happen they would lose much needed funding for the operation of the Blacksburg Transit. They are looking into appealing, if this were to happen.

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Montgomery County Economic Development Commission Supervisor Biggs reported that Mayor Hedgepeth expressed concerns with the Town of Blacksburg not getting information about economic development projects in Montgomery County. Supervisor Biggs explained she talked with the Town of Blacksburg liaison about forwarding information to the Mayor.

Regional Airport Authority Supervisor Biggs reported the State has frozen all state funds that were available and that they would need to check into the Federal Aviation funds.

Board of Supervisors Retreat Supervisor Biggs questioned the Board members as to when they would like to schedule the next Board Retreat. She requested they forward her dates they would be available.

INTO CLOSED MEETING

On a motion by C.P. Shorter, seconded by James D. Politis 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) (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. Planning Commission Appointments

(3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. Parks & Recreation

(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>
C.P. Shorter	None	Joe C. Stewart
James D. Politis		
Annette S. Perkins		
Larry N. Rush		
John A. Muffo		
Mary W. Biggs		

OUT OF CLOSED MEETING

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

CERTIFICATION OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously,

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

WHEREAS, Section 2.1-344.1 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

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

NAYS

None

ABSENT DURING VOTE

Joe C. Stewart

ABSENT DURING MEETING

Joe C. Stewart

APPOINTMENTS

Planning Commission

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

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby reappoints **Charlie Elgin** to the **Montgomery County Planning Commission** effective June 1, 2001 and expiring May 31, 2005.

The vote on the foregoing motion was as follows:

AYE

NAY

ABSENT

James D. Politis
Annette S. Perkins
John A. Muffo
C. P. Shorter
Mary W. Biggs

Planning Commission

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

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby reappoints **Malvin L. Wells** to the **Montgomery County Planning Commission** effective June 1, 2001 and expiring May 31, 2005.

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
James D. Politis		
Annette S. Perkins		
John A. Muffo		
C. P. Shorter		
Mary W. Biggs		

ADJOURNMENT

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Thursday, May 31, 2001 at 6:00 p.m. at the Christiansburg High School.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 11:28 p.m.