

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 28TH DAY OF FEBRUARY, 2000 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. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Angie Hill	-Financial & Management Services Director
	Karen Edmonds	-Human Resources Director
	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

Kathleen Stewart (Agent: Anderson & Associates, Inc.)

Request for a Special Use Permit amendment; (Tax Parcel Nos. 104-A-27A, 104-A-28, 104-4-46) to allow a Professional Office served by private well and septic system. Property is located at the Northeast corner of Barn Road and Route 177 Intersection in the Riner Magisterial District. The property lies in an area designated residential in the Comprehensive Plan.

Charlie Bowles spoke in opposition to issuing a Special Use Permit to Kathleen Stewart. Mr. Bowles stated that the Stewart's should have been well aware of all expenses related to construction of three professional buildings, which includes upgrading the water and sewer lines. The County should not be responsible for their shortage of funds and allow them to install a private well and septic system.

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Margaret Smith spoke in opposition of holding the public hearing for Kathleen Stewart's request for a special use permit. Ms. Smith stated that the public has not had time to learn all the details involved and requested that the public hearing be postponed. The Chair informed Ms. Smith that the Public Hearing had already started and would not be postponed. Ms. Smith then continued with reasons why a special use permit should not be issued. She stated that the public needs more explanation and information before a decision can be made.

Tom Roberts, Anderson & Associates, agent for the applicant, explained to the Board that water and sewer has not yet been provided to the property. The applicant wishes to construct one professional building now and would like to serve this building with a private well and septic system until public water and sewer can be provided. The applicant is willing to work with the County on any conditions to the special use permit.

Quorum Holding Company (Agent: Christopher Tuck)

Request for a Special Use Permit; (Tax Parcel No. 067-A75) to allow performance space for community theater. Property is located at 805 Triangle Street in the Price's Fork Magisterial District. The property lies in an area designated commercial in the Comprehensive Plan.

There being no speakers, the public hearing was closed.

The County Attorney informed the Board that when advertising for the public hearing all adjacent landowners were not notified due to a error. He suggested that the public hearing be continued until March 27, 2000 in order for the Planning Department to inform all adjacent landowners.

Continue Public Hearing to March 27, 2000

On a motion by Larry N. Rush, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby continues the public hearing for Quorum Holding Company (Agent: Christopher Tuck) **request for a Special Use Permit;** (Tax Parcel No. 067-A75) to allow performance space for a community theater, until March 27, 2000 in order to allow the Planning Department to notify all adjacent landowners.

The vote on the foregoing motion was as follows:

AYE

Larry N. Rush

C.P. Shorter

NAY

None

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James D. Politis
Joe C. Stewart
Annette S. Perkins
John A. Muffo
Mary W. Biggs

Quorum Holding Company (Agent: Bill Tuck/Trula Tuck)

Request for a Special Use Permit;(Tax Parcel No. 67-5-6) to allow mini-warehouses. Property is located at 3956 South Main Street in the Price's Fork Magisterial District. The property lies in an area designated commercial in the Comprehensive Plan.

Trula Tuck, applicant, was present to answer any questions from the Board.

There being no speakers, the public hearing was closed.

Ordinance Withdrawing 9.8520 Acres from AFD-3 (Little River)

Danbury Ltd. request to withdraw 9.8520 acres, Tax Parcel 135-A-23D from Agricultural and Forestal District 3 (Little River)

There being no speakers, the public hearing was closed.

DELEGATION

Sheriff Presentation of Certification of Accreditation

Mr. Ernest H. O'Boyle, Accreditation Coordinator for the Department of Criminal Justice Services (DCJS), presented to the Montgomery County Sheriff, Doug Marrs, a Certification of Accreditation. This certification is in recognition of Montgomery County Sheriff's Office becoming State Accredited. Montgomery County is one of the first offices in the state to receive accreditation.

INTO WORK SESSION

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

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

- Presentation of Montgomery County's FY 2000-2001 Budget

The vote on the foregoing motion was as follows:

AYE

NAY

John A. Muffo None

Larry N. Rush

C.P. Shorter

James D. Politis

Joe C. Stewart

Annette S. Perkins

Mary W. Biggs

OUT OF WORK SESSION

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

BE IT RESOLVED, That the Board of Supervisors hereby ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

AYE

NAY

C.P. Shorter

None

James D. Politis

Joe C. Stewart

Annette S. Perkins

John A. Muffo

Larry N. Rush

Mary W. Biggs

ADVERTISE PROPOSED TAX RATE

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to advertise the proposed real estate tax rate at 71 cents per \$100 of the assessed valuation of real estate based on 100% of fair market value.

The motion on the foregoing motion was as follows:

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AYE

Annette S. Perkins

John A. Muffo

Larry N. Rush

C.P. Shorter

James D. Politis

Mary W. Biggs

NAY

Joe C. Stewart

PUBLIC ADDRESS SESSION

Michael Pace, Locke, Rakes, Gentry, & Moore, agent for the TEA Group/Crown Communication, who requested two special use permits for construction of telecommunications towers, spoke in opposition of tabling this request until the Planning Commission developed specific policies on telecommunications towers. Mr. Pace stated that tabling this request was not in the public's best interest nor the County's. He said that the County could be in violation of the FCC's Act and requests the County to move forward with this request.

Larry Martin spoke in favor of tabling the request for special use permits to construct telecommunication towers to allow the Planning Commission time to develop specific policies. Mr. Martin said that there are three requests before the Planning Commission, and two of the requests would allow two telecommunication towers within 1500 ft of each other.

Harold Timmons, representative for Crown Communications, requested the Board to move forward with the request for a special use permit to allow construction of a telecommunication tower. Mr. Timmons said that Crown Communications is willing to work with the County and the citizens of the County. They will offer expertise and information that is needed.

Margaret Smith spoke in opposition to issuing an amendment to a special use permit for Kathleen Stewart to allow a private well and septic system to serve a new professional building. Ms. Smith stated that there is not enough information available to approve this request. Ms. Smith asked if the present system can be upgraded and if the Stewart's were planning to hook up to the hospital's current line. She asked if any plans have been approved by the Virginia Department of Health.

Ms. Smith also asked if the recommended amount in the proposed 2000-2002 budget of \$410,000 for Fire & Rescue Departments included funds to purchase a ladder truck for the Riner Volunteer Fire Department.

Tom Roberts, Anderson & Associates, agent for Kathleen Stewart, attempted to clarify questions about the request by Kathleen Stewart for an amendment to the special use permit. Mr. Roberts stated that the County approved a special use permit for construction of three buildings. Public water and sewer is not available and Ms. Stewart is requesting to be able to serve one building with a private well and septic until such time public water and sewer is made available. Issues concerning water and sewer have come up

because of the 177 Corridor. Mr. Roberts informed the Board that letters from Radford City and the Montgomery County Public Service Authority were received stating they had no problems with the request.

ADDENDUM

On a motion by James D. Politis, seconded by John A. Muffo and carried, the following addendum was added to the agenda under Closed Meeting:

Section 2.1-344(A) (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 Business or Industry

The vote on the foregoing motion was as follows:

AYE

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

NAY

Joe C. Stewart

CONSENT AGENDA

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously, the Consent Agenda dated February 28, 2000 was approved.

The vote on the foregoing motion was as follows:

AYE

John A. Muffo None
Annette S. Perkins

NAY

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

APPROVAL OF MINUTES

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously, the minutes dated February 2, 2000 were approved.

Social Services - Recovered Costs

On a motion by Annette S. Perkins, seconded by Joe C. Stewart 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, 2000, for the function and in the amount as follows:

540	Social Services	\$1,807
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The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

02540-419108	Recovered Costs	\$1,807
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Said resolution appropriates recovered costs for the Medicaid and Adult Care Residency pre-screening monies for other public assistance services.

Sheriff - Grant Appropriation: Division of Motor Vehicles Selective Enforcement Grant

On a motion by Annette S. Perkins, seconded by Joe C. Stewart 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, 2000, for the function and in the amount as follows:

321 Sheriff Grants \$1,500

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

Revenue Account

424401 DMV Selective Enforcement \$1,500

Said resolution appropriates monies from a Division of Motor Vehicles Selective Enforcement Grant.

Sheriff - Forfeited Asset Sharing Program

On a motion by Annette S. Perkins, seconded by Joe C. Stewart 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, 2000, for the function and in the amount as follows:

321 Sheriff \$3,203

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

Revenue Account

02320-419104 Confiscations-Sheriff \$3,203

Said resolution appropriates monies received in FY 00 as part of the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

Resolution of Recognition - Christiansburg/Montgomery County Chamber of Commerce 50th Anniversary

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously,

WHEREAS, The Christiansburg/Montgomery County Chamber of Commerce was established as the Chamber of Commerce of Christiansburg and Cambria, Inc. in March 1950 from the Business and Professional Men's Club; and

WHEREAS, The Christiansburg/Montgomery County Chamber of Commerce, after 50 years of service to the business community, has grown to over 380 members throughout the New River Valley; and

WHEREAS, The Christiansburg/Montgomery County Chamber of Commerce has for 50 years

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promoted the interests of its members while seeking a superior quality of life for all citizens of Montgomery County; and

WHEREAS, The Christiansburg/Montgomery County Chamber of Commerce will celebrate its 50th anniversary this millennium year.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia on behalf of all its citizens, congratulates the Christiansburg/Montgomery County Chamber of Commerce, its members and staff, on 50 years of service to our community.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to the Christiansburg/Montgomery Chamber of Commerce and that a copy be made a part of the official Minutes of Montgomery County.

OLD BUSINESS

Proposed Agreement with Constitutional Officers and Agency Directors to Allow Participation in the County's Compensation And Classification Plans as Well as The County's Personnel Policies And Procedures

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

WHEREAS, Inconsistencies currently exist between the County's and the Virginia Compensation Board's compensation and classification systems and result in disparities that affect the workplace; and

WHEREAS, A study of all applicable positions has been made by the consulting firm of Municipal Advisors, Inc. to allow for the inclusion of all Constitutional Officers and their employees and various County agencies in a uniform compensation and classification system.

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of Montgomery County, Virginia, hereby approves an agreement offering to each Constitutional Officer and applicable Agency Director the opportunity to participate in the County's Compensation and Classification Plans as well as the County's Personnel Policies and Procedures.

BE IT FURTHER RESOLVED, That such inclusion shall become effective with the adoption of the County's FY2000-2001 Compensation and Classification Plans on July 1, 2000 and shall remain in effect until amended or discontinued by the Board or the Constitutional Officer or Agency Director.

BE IT FURTHER RESOLVED, That if the Constitutional Officer or Agency Director chooses to withdraw from this agreement at any time in the future, employees of the Constitutional Officer or Agency

Director would revert back to Compensation Board or Agency pay schedule and policies, losing the County supplement, effective the beginning of the following fiscal year.

The vote on the foregoing motion was as follows:

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

School Construction

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 *rescinds* its resolution dated May 10, 1999 that adopted the School Board resolution dated April 20, 1999 to construct a new high school in Blacksburg at the Price's Fork site to accommodate up to 1600 students, and that the existing Blacksburg High School and Blacksburg Middle School be renovated to accommodate a middle school population of 1200 students in like-new facilities, and that the planning and construction for those renovations occur concurrently with the planning and construction of the new Blacksburg strand high school, as much as possible.

BE IT FURTHER RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby *adopts* the School Board resolution dated February 23, 2000 endorsing a plan of building a middle school in Blacksburg and a middle school in Christiansburg, and authorizes the School Board to move forward with procuring architectural and engineering and construction management services for construction of a new middle school in Blacksburg and a new middle school in Christiansburg.

BE IT FURTHER RESOLVED, That all project costs, including architectural and engineering and construction management services be included in the \$37 million to \$44.8 million that will be available to the School Board for school construction by resolution of the Board of Supervisors dated February 14, 2000.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None

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

NEW BUSINESS

Virginia Department of Transportation-Preallocation Hearing

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

WHEREAS, Representatives of the Board of Supervisors of Montgomery County, Virginia have attended the Commonwealth Transportation Board's Preallocation hearings for a number of years to advocate for a resolution to the traffic problems along the US 460 corridor between Blacksburg and Christiansburg and Christiansburg and Interstate 81; and to recognize the desirability of a direct link between Roanoke and VPI&SU; and

WHEREAS, The Board has emphasized needed improvements to Interstate 81 between Christiansburg and Roanoke with its heavy tractor-trailer and vehicular traffic which hampers traffic flow and will potentially impair economic development efforts and subject residents to greater risks from hazardous materials accidents; and

WHEREAS, The Board has expressed grave concern relative to conditions on Virginia Route 114 in Montgomery and Pulaski Counties, a major transportation artery serving as an east-west connector through the New River Valley which passes through residential and commercial development; and

WHEREAS, 39 accidents in 1997 occurred on Route 114, claiming the lives of five citizens and injured 34 citizens; and

WHEREAS, The residents who live along Route 114 and the surrounding area have presented petitions with over 393 signatures to the Board of Supervisors requesting that the safety of this road be enhanced, including turn lanes and widening of the road; and

WHEREAS, The Board has expressed concern relative to conditions on Virginia Route 8 in Montgomery and Floyd Counties; and

WHEREAS, 3 accidents in a 3 ½ week period occurred on Route 8, claiming the lives of 4 citizens; and

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WHEREAS, Route 8 provides the only access to Floyd County from Interstate 81 at Christiansburg; and

WHEREAS, Route 8 is a high traffic road with high population growth along the Route 8 corridor; and

WHEREAS, The above routes have been identified as critically needed projects in order to improve the capacity, condition and efficiency of our regional transportation system.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia emphasizes its continued desire for completion of the above projects and expresses sincere appreciation to the Commonwealth Transportation Board for recognizing and considering the Montgomery County Board of Supervisors' comments to the aforementioned projects.

FURTHER, The Board of Supervisors of Montgomery County, Virginia hereby **opposes** the Dublin-Blacksburg connector (NRV Link) and reaffirms that the Dublin-Blacksburg connector (NRV Link) is not a priority for Montgomery County.

FURTHER, That the Montgomery County, Virginia Board of Supervisors recognizes the importance of an overall regional plan in linking development patterns and economic development opportunities and also expresses support for improvements to US 11 in Pulaski County; and continuing improvements to Virginia 8, including the intersection of Route 8 and Fairview Church Road; as well as US 460 in order to provide interstate access for Floyd and Giles counties.

FURTHER, The Board of Supervisors of Montgomery County, Virginia requests the expansion of U.S. Route 114 to a four-lane primary highway.

FURTHER, The Montgomery County Board of Supervisors acknowledges the Virginia Department of Transportation's efforts to accelerate the construction of the Falling Branch Interchange and construction of Alternate 3A.

FURTHER, The Montgomery County Board of Supervisors expresses its appreciation to the Commonwealth Transportation Board for adding State Route 114 to the 6-Year Primary Road Plan for Preliminary Engineering Studies.

FURTHER, The Montgomery County Board of Supervisors urges the Commonwealth Transportation Board to identify funding for right-of-way acquisition and construction for the four laning of SR 114 as soon as possible.

The vote on the foregoing motion was as follows:

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AYE

NAY

John A. Muffo None

Larry N. Rush

C. P. Shorter

James D. Politis

Joe C. Stewart

Annette S. Perkins

Mary W. Biggs

Special Use Permit Requests for Telecommunication Towers

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following three requests are hereby **referred back to the Planning Commission** to evaluate and make recommendations back to the Board.

1. Hazel B. Linkous (Agent: The TEA Group/Crown Communications)
Request for a Special Use Permit (Tax parcel no. 052-A-118) to allow construction of a telecommunications tower. Property is located at 2049 Merrimac Road in an area designated rural in the Comprehensive Plan.
2. Marvin N. Graham, Sr. (Agent: The TEA Group/Crown Communications)
Request for a Special Use Permit (Tax parcel no. 081-A-34 thru 37) to allow construction of a telecommunications tower. Property is located at 1189 Izack Walton Lane in an area designated rural in the Comprehensive Plan.
3. Ted W. Graham (Agent: GTE Wireless, Inc.)
Request for a Special Use Permit (Tax parcel no. 081-A-45) to allow replacement of an existing telecommunications tower with a taller one. Property is located at the end of Brammer Lane in an area designated rural in the Comprehensive Plan.

The vote on the foregoing motion was as follows:

AYE

NAY

Larry N. Rush

None

C.P. Shorter

James D. Politis

Joe C. Stewart

Annette S. Perkins

John A. Muffo

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COUNTY ATTORNEY'S REPORT

Process for Exemption from Department of Justice Voting Rights Act. The County Attorney stated that the process for exemption was very time consuming and lengthy. Studies of voting practices would have to be performed. Information from County data, voter registration, past elections and appointments to the Electoral Board would have to be gathered for the past 20 years.

Heslep Trailer Park - Request for Boundary Line Adjustment A portion of the Heslep Trailer Park is located in Montgomery County and a portion in Roanoke County. The entire trailer park is being assessed by Montgomery County and Ms. Heslep is paying taxes in Montgomery County. Permits and inspections to replace trailers are dealt with by each locality. Montgomery County does not have the legal authority to issue permits outside the County and therefore Ms. Heslep is required to request permits through Roanoke County. Ms. Heslep is requesting that the boundary line be adjusted so the entire trailer park would be in Montgomery County. The County Attorney stated that there were 3 alternatives the Board could consider, 1) Enter into a boundary line agreement with Roanoke County whereby the existing County boundary would be adjusted to include the entire Heslep Trailer Park in Montgomery County; 2) Enter into a boundary line agreement with Roanoke County to address not only Heslep property but all properties adjoining the boundary; or 3) Montgomery County and Roanoke County would accept the existing boundary line as shown on their respective maps and enforce their regulations accordingly. The Commissioner of Revenue for each County would jointly work together to correct the land books so each county would tax Ms. Heslep appropriately.

Orchards Property Special Use Permit Application The County Attorney reported he sent a letter to Mr. Eric Oliver in reference to his concerns with the Orchards Property development. A copy of this letter was sent to the Board of Supervisors.

COUNTY ADMINISTRATOR'S REPORT

Fire & Rescue Vehicle Policy Update The County Administrator reported that staff members are in the process of reviewing the policy and will be making recommendations to the Board in the near future.

Landfill Gas Remediation Plan A Landfill Gas Remediation Plan was submitted to Virginia Department of Environmental Quality (VDEQ) regarding gas monitoring at the Mid-County Landfill.

Road Concerns Update A road concerns update report has been provided in the Board packet for review.

MUNIS Update The County Administrator reported that Chair Biggs, the County Administrator and the Assistant Treasurer met concerning problems with the new computer system in the Treasurer's Office.

MUNIS has delivered an updated program for interest on tax collections. The Treasurer is now able to enter tax collections in the new system.

BOARD MEMBERS' REPORTS

Supervisor Perkins attended several meetings this month and Information from the meetings will be provided to the Board.

Virginia Tech Airport The idea of forming an Authority for the airport is still underway. There is funding available from federal and state programs. Virginia Tech has stated that all assets of the Virginia Tech Airport would be turned over to the Authority. A long term lease on the land has been discussed.

Supervisor Muffo reported he and Supervisor Shorter have attended training sessions provided by County Administration.

AEP Donated Land Supervisor Muffo attended the public meeting held in Blacksburg on the land donated by AEP. The meeting was well conducted and very informative.

Supervisor Muffo also informed the Board that a developer in Blacksburg in working with surrounding neighbors at a proposed development site prior to submitting a request to the Planning Department. This is a good concept and hopes other developers follow suit.

Coal Miners Historical Park A meeting is scheduled for March 2 at 7:00 p.m at the Merrimac Pentecostal Holiness Church by the Radford University students for public discussion on the Coal Miners Historical Park.

Supervisor Shorter Collections and Recycling Committee Supervisor Shorter stated that this committee should also have citizens from each district appointed to the committee. This would enable the committee to have citizen input. The Committee should meet at least once a month.

Supervisor Shorter met with Allan Sissan regarding the green boxes on his property. There were initially six green boxes put on Mr. Sissan's property, and now there are sixteen. The current contract states that the County would pay Mr. Sissan \$100.00 per month for leasing his property. Mr. Sissan would like to see this amount increased due to the increase in the number of green boxes on his property. He also agreed to fencing the property at the County's expense and would consider opening and closing the gate.

Supervisor Stewart received a letter from Michael Hawes concerning the speed on Route 11/460 in Elliston and suggested that stop lights need to be installed at several points on the Route 11/460.

Supervisor Rush has a meeting scheduled with Sheriff Marrs to discuss the issue of using

inmate labor for roadside cleanup.

Supervisor Politis reported that a cut was made through a grassy knoll at Riner Elementary School in order for school buses to go through to get onto Route 8. This will help tremendously until VDOT can resolve the problem with Fairview Church Road.

Chair Biggs County/School Liaison Meeting A copy of a letter from the Superintendent of Schools to Sheriff Marrs concerning Fairview Church Road is included in the Board's packet for review. Discussions at the Liaison meeting included setting a tentative date set for April 25, 2000 to hold a joint dinner between the School Board and the Board of Supervisors to discuss general issues. Another issue discussed was school mascots. Several Board members have received requests from citizens to leave the school mascots as is. Chair Biggs has forwarded these requests to the School Board.

County Administrator's Evaluation Chair Biggs reminded the Board Members that the County Administrator's evaluation is due in March.

Chair Biggs requested the County Administrator to send a letter in response to Maryjane Walhall concerns with the Blacksburg Middle School issue.

The Board took a 10 minute break and reconvened in the Board Chambers.

INTO CLOSED MEETING

On a motion by Larry N. Rush, 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) | (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. Transportation Safety Commission |
| | (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. Mid-County Landfill

- (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 Business or Industry

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	

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Annette S. Perkins 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>
Larry N. Rush	None
C.P. Shorter	
James D. Politis	

Joe C. Stewart
Annette S. Perkins
John A. Muffo
Mary W. Biggs

CERTIFICATION OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by Larry N. Rush 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
Joe C. Stewart
Annette S. Perkins
John A. Muffo
Mary W. Biggs

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

APPOINTMENT - TRANSPORTATION SAFETY COMMISSION

On a motion by Joe C. Stewart, seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby reappoints **Malvin L. Wells** to the Transportation Safety Commission effective February 29, 2000 and expiring February 28, 2003.

The vote on the foregoing motion was as follows:

AYE

NAY

Joe C. Stewart None

Larry N. Rush

C.P. Shorter

James D. Politis

Annette S. Perkins

John A. Muffo

Mary W. Biggs

ADJOURNMENT

On a motion by John A. Muffo, seconded by Larry N. Rush and carried unanimously, the meeting adjourned to Tuesday, February 29, 2000 at 6:30 p.m. at Anchy's Restaurant.

The vote on the foregoing motion was as follows:

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AYE

Larry N. Rush

C.P. Shorter

James D. Politis

Joe C. Stewart

Annette S. Perkins

John A. Muffo

Mary W. Biggs

NAY

None

The meeting adjourned at 11:00 p.m.