

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 10TH DAY OF APRIL, 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. McMahan	-County Attorney
	Robert C. Parker	-Public Information Officer
	Angie M. Hill	-Financial & Management Services 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.

DELEGATIONS

Christiansburg Institute

Marcie Schnitzer gave a brief history of the 100 year-old Christiansburg Institute and an overview of its contemporary goals and current activities. Ms. Schnitzer requested support from the Board of Supervisors in seeking funding and assisting in the renovation of the historical site.

United Way

United Way President David Moore and Communications Director Ashley Perry presented a plaque to Board Chair Mary Biggs, recognizing Montgomery County's 1999 campaign as the "Most Creative Employee Campaign."

PUBLIC ADDRESS SESSION

Christopher Tuck informed the Board he was present to answer any questions they may have on Quorum Holding Company's request for a special use permit for a community theater.

Brownie Cauley spoke in support of the proposed FY 2000-2001 budget. Mr. Cauley encouraged the Board to make the best decision they can regarding tax increases.

CONSENT AGENDA

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously, the Consent Agenda dated April 10, 2000 was approved.

The vote on the foregoing motion was as follows:

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

Approval of Minutes

On a motion by Larry N. Rush, seconded by James D. Politis and carried unanimously, the minutes dated March 22, March 27, and April 3, 2000 were approved.

Sheriff - Recovered Costs

On a motion by Larry N. Rush, seconded by James D. Politis 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:

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

Revenue Account

419108	Recovered Costs	\$22,405
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Said resolution appropriates funds received as a reimbursement for security at ball games and other functions, refunds from training courses, National Forest patrol, appearance by off-duty deputies in civil court cases, inmate transport, and grants related expenses.

Cedar Orchard Phase IVB - Final Plat

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

WHEREAS, Cedar Orchard Subdivision Phase IVB consists of 26 lots located off Cedar Orchard Drive (State Route 1238) and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance).

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Cedar Orchard Subdivision, Phase IVB (Balzer and Associates Plan No. 95120-1 dated 3/27/00), Mt. Tabor Magisterial District.

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

Addition to the Secondary System of State Highway - Green Meadow Drive

On a motion by Larry N. Rush, seconded by James D. Politis 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 the Department's Subdivision Street Requirements; 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:

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ADDITION:

Price's Meadow Subdivision

Name of Street:

Green Meadow Drive

Length

.021

From State Route 785
To End of Cul de Sac
Plat Recorded, 04-17-1999
Deed Book # 19 , Page 77

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.

National County Government Week

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

WHEREAS, As we enter the new millennium, it is important to review our past as we look to the future; and

WHEREAS, County governments began as a response to the needs of the early settlers of our country, tracing their roots to the Anglo-Saxon local government 1,000 years ago; and

WHEREAS, Counties first appeared in colonial America, making them older than the Republic itself; and

WHEREAS, The primary functions of county government during the 1800's and early 1900's involved judicial, road, law enforcement and other responsibilities in which the county acted mainly as an arm of the state; and

WHEREAS, Over the last century, the responsibilities of county governments have grown enormously; and

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WHEREAS, County governments employ more than two million people and spend billions of dollars providing services to the people of the United States; and

WHEREAS, Counties today are an important link within the nation's governmental structure and have assumed increasing responsibilities for the administration and financing of health, welfare, justice, transportation, housing and community development programs; and

WHEREAS, County governments have also been assigned a greater role in solving area-wide problems dealing with air pollution, water pollution, solid waste disposal, regional parks, and other issues; and

WHEREAS, County governments truly support the nation's citizenry, serving as their voice in town squares, state houses, Congress and the White House, providing solutions to meet many of the most challenging needs and ensuring a high quality of life for all.

NOW THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby proclaims *April 9 - 15, 2000 National County Government Week in Montgomery County.*

OLD BUSINESS

Quorum Holding Company - Special Use Permit - Community Theater

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Quorum Holding Company (Agent: Christopher Tuck) request for a Special Use Permit to allow a community theater; Tax Parcel No. 67-A-75, located at 805 Triangle Street in the Price's Fork Magisterial District is approved subject to the following conditions:

1. This permit is to allow use of present building and parking area for theater purposes. In accordance with the provisions of the zoning ordinance, this permit will automatically become void if use does not take place within two years.
2. Use of this property and parking area for theater purposes shall be limited to non-business hours (times other than 8:00 a.m. to 5:00 p.m. Monday through Friday). Performances shall end no later than 11:00 p.m. and at all times shall meet the requirements of Sections 7-71 through 7-82 of the Montgomery County Code concerning noise.

3. The current building shall be substantially improved in accordance with Montgomery County Building Codes for theater use.
4. The property owner shall be responsible for the provision of sufficient parking. (It is anticipated regular theater parking will be provided in the upper, paved lot with overflow theater parking in the lower, graveled lot.) Parking shall be confined to the owner's property unless allowed by written agreement with adjacent property owners
5. No performances shall be held until the Building Official certifies that the structure meets all building code requirements for a theater.
6. No performances shall be held until the paved parking area is lined as per the provided map.

The vote on the foregoing motion was as follows:

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

Paul and Rebecca Underwood - Rezoning Request

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

ORDINANCE: 2000 - 03

**An Ordinance Amending
the Zoning Classification of 21.02 Acres
from A-1 (Agriculture) to R-R (Rural
Residential)**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 21.02 acres of land is hereby changed, amended and rezoned from the zoning classification of A-1 (Agriculture) to R-R (Rural Residential).

This action was commenced upon the application of Paul and Rebecca Underwood.

These tracts or parcels of land are identified as being property shown on Tax Parcel No. 103-A-13E, located adjacent to 609 Lovely Mount Drive, in the Riner Magisterial District.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

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

Amendment to the Montgomery County Subdivision Ordinance

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

ORDINANCE 2000 -04

**An Ordinance Amending Chapter
8, Article IV, Entitled Subdivisions of the
Code of the County of Montgomery, Virginia**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that Chapter 8, Article IV of the Code of Montgomery County, Virginia be amended and reordained as follows:

Additions shown **in bold underline**, deletions shown in **~~bold strikethrough~~**

Section 8-111. Definitions

Subdivision, major means any subdivision that **either**:

- a. creates eleven (11) or more lots or tracts; or
- b. requires construction of a new street, **or**
- c. **requires a private access easement. serving a total of four (4) or more lots or tracts.**

Subdivision, minor means any subdivision consisting of ten (10) or fewer lots or tracts and which does not require construction of a new street **and which does not require a private access easement serving a total of four (4) or more lots or tracts.**

Section 8-134 Certification of plat

(2) A statement signed by all owners, proprietors, and trustees, properly notarized, stating that the platting or dedication **or assignment of lots** of the following described property (here insert a correct description of land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any; and

Section 8-151. Design and arrangement of lots

(b) *Street Frontage, major and minor subdivisions.* In minor subdivisions and major subdivisions, all lots, including remainders, must abut on:

- (1) An existing public street
- (2) A proposed public street to be constructed in accordance with the provisions of this article; **or**
- (3) A proposed private street, approved by the board of supervisors and to be constructed in accordance with the provisions of this article. **or**
- (4) **A proposed private access easement at least forty (40) feet in width providing access from the lot to an existing public street, and to be constructed in accordance with the provisions of this article.**

~~Frontage on an existing private street may be allowed only by a variance granted in accordance with the provisions of this article:~~

Section 8-152 New Streets

(b)(1) Single-family housing developments. Private streets may be permitted only if the subdivision has a median lot size of three (3) acres or greater, and a length of street per lot ratio of one hundred fifty (150) feet per lot or greater. Such streets shall have a maximum grade of eighteen (18) percent and a minimum width of **all weather** surface or pavement of eighteen (18) feet. Approval will be based upon review of an access plan that shall include construction specifications, as well as a maintenance plan or agreement. The subdivider shall require a statement to be included on the subdivision **on** plat and in each deed stating that the streets are private streets and that the streets do not meet state standards, if applicable, and will not be maintained by the state or county.

(bb) Private Access Easements. Private access easements at least forty (40) in width may be

permitted in the Agricultural A-1 zoning district. When permitted, the subdivider shall require a statement to be included on the subdivision plat and in each deed stating that the access easements are private access easements and that the access easements do not meet state standards, if applicable, and will not be maintained by the state or county.

(1) Access easements serving a total of three (3) or less lots or tracts shall be constructed with an all-weather surface.

(2) Access easements serving a total of four (4) or more lots or tracts shall be reviewed and constructed in accordance with the provisions of this article for private streets in single-family housing developments

Section 8-173 Preliminary plat, major subdivisions

(14) Table listing acreage and frontage for each lot.

(15) Table of assignment of lots under sliding scale, if applicable.

(16) Location of lands within the one hundred-year floodplain.

(17) Location of any grave, object or structure marking a place of burial.

Section 8-174 Final plat, minor subdivisions and family subdivisions

(7) Table of assignment of lots under sliding scale, if applicable.

(8) Location of lands within the one hundred-year floodplain.

(9) Location of any grave, object or structure marking a place of burial.

The vote on the foregoing ordinance was as follows:

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

Proposed Application for Community Development Block Grant (CDBG) funding to Extend Public Water and Sewer Services to Yellow Sulphur Springs Historic Hotel and Healing Spa

On a motion by Larry N. Rush, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Virginia Community Development Block Grant (VCDBG) Program provides funding to assist local governments in increasing business and employment opportunities through economic development programs that generate new jobs and employment opportunities for the primary benefit of low-to-moderate income citizens; and

WHEREAS, The planned Yellow Sulphur Springs Historic Hotel and Healing Spa Improvements will provide public water and sewer, thereby allowing the creation of new jobs and employment opportunities for the primary benefit of low-to-moderate income citizens; and

WHEREAS, The proposed Yellow Sulphur Springs Historic Hotel and Healing Spa Improvements will generate 117 new jobs of which 105 jobs or 89 percent will primarily benefit low-to-moderate income citizens; and

WHEREAS, Montgomery County has met all the federally-mandated citizen participation requirements by holding hearings on March 30, 2000 and April 6, 2000 and that both were announced via two approved methods of mass communication at least seven days in advance; and

WHEREAS, By resolution the Town of Blacksburg has agreed to provide approximately \$198,031 for “betterment” cost; that is the difference in the cost of construction between a facility designed to serve Yellow Sulphur Springs Historic Hotel and Healing Spa, and a facility designed with the additional capacity needed by the Town to serve its service areas; and

WHEREAS, By resolution the Montgomery County Public Service Authority has agreed to provide approximately \$135,459 for “betterment” cost; that is the difference in the cost of construction between a facility designed to serve Yellow Sulphur Springs Historic Hotel and Healing Spa, and a facility designed with the additional capacity needed by the Public Service Authority to serve its service areas.

NOW , THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby submit an application requesting \$696,220 in Community Facility funds from the VCDBG Program for Yellow Sulphur Springs Historic Hotel and Healing Spa Improvement, which the project has a total estimated cost of \$1,042,910, of which \$ 333,490 will be “betterment” costs funded by the Town of Blacksburg and Montgomery County Public Service Authority and in addition, \$13,200 will be in-kind administrative services provided by Montgomery County.

BE IT FURTHER RESOLVED, That the County Administrator, Jeffrey D. Johnson, is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

BE IT FURTHER RESOLVED, That the County of Montgomery shall not accept the grant should the application be funded until such time that the Owners of the Yellow Sulphur Springs Historic Hotel and Healing Spa provide sufficient surety to the County as guarantee that the necessary jobs will be created as required by the grant.

The vote on the foregoing motion was as follows:

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

INTO WORK SESSION

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

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

-Proposed FY 2000-2001 Budget and Tax Rates

The vote on the foregoing motion was as follows:

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

The Board was presented three options to balance the budget. The plans are listed as follows:

Plan A - 69 Cent Tax Rate

This plan adds state funds for schools and reduces school budget by VRS savings. Total County dollars reduced for both - \$620,000. It reduces County dollars by State dollars for school debt by \$447,898 and provides additional operating dollars for schools of \$465,091.

Plan B - 68 Cent Tax Rate

This plan adds state funds for schools and reduces school budget by VRS savings. Total County dollars reduced for both - \$620,000. It reduces County dollars by State dollars for school debt by \$447,898 and provides additional operating dollars for schools of \$155,091.

PLAN C- 67 Cent Tax Rate

This plan adds state funds for schools and reduces school budget by VRS savings. Total County dollars reduced for both - \$620,000. It reduces County dollars by State dollars for school debt by \$447,898 and reduces school funding by \$154,909.

The Board discussed each option and the majority agreed they could vote for Plan B with the agreement that the additional operating dollars for the school of \$155,091 would be a one time funding and be held in a special contingencies fund. This would allow the Board of Supervisors and the School Board time to meet and discuss options on how to use the money.

OUT OF WORK SESSION

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

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

Annette S. Perkins
C.P. Shorter
James D. Politis
Larry N. Rush

NAY

Joe C. Stewart

John A. Muffo
Mary W. Biggs

NEW BUSINESS

TAX RATE

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Annual Budget for Fiscal Year 2000 - 2001 be and the same is adopted in the amount of **\$94,835,200** which except in the case of the public school budget, shall be for informative and fiscal planning purposes only.

BE IT FURTHER RESOLVED, That the Commissioner of Revenue of Montgomery County, Virginia be, and she is hereby ordered to levy, beginning January 1, 2000 and ending December 31, 2000 the sum of **68¢** Per \$100 of the assessed valuation of real estate based on 100% of fair market value.

FURTHER, The Commissioner of Revenue is instructed to levy for said period other property taxes as follows:

<u>Category</u>	<u>Tax Rate Per \$100 of Assessed Valuation</u>
Tangible Personal Property	\$2.45
Machinery and Tools	\$1.82
Merchants Capital	\$6.05

FURTHER, That the Treasurer of Montgomery County, Virginia is hereby directed to collect the taxes so assessed, and the Clerk of the Board shall forward a copy of this order to said Commissioner of Revenue and the Treasurer.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	Joe C. Stewart
Annette S. Perkins	

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

Resolution Approving the Industry Incentive Proposal for Financial Assistance to EchoStar Communications Corporation

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

WHEREAS, With the assistance of Congressman Boucher, the EchoStar Communications Corporation became interested in establishing a 100,000 square foot call center in the Christiansburg area of Montgomery County, Virginia; and

WHEREAS, Montgomery County convinced the Commonwealth of Virginia to offer a Governor's Opportunity Fund grant of up to \$750,000 to EchoStar as an incentive to locate the call center in Montgomery County; and

WHEREAS, The Governor's Opportunity Fund Grant requires Montgomery County to match the \$750,000 grant by providing County incentives in cash and/or other in-kind incentives; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia, desires to offer EchoStar Communications Corporation an incentive package in order to induce EchoStar Communications Corporation's commitment to establish a corporate presence in Montgomery County; and

WHEREAS, Due to the industry incentives offered by the Commonwealth of Virginia through the Governor's Opportunity Fund and the incentives offered by Montgomery County as a match to the Governor's incentives, EchoStar Communications Corporation has committed to establishing and operating a 100,000 square foot call center; and

WHEREAS, EchoStar Communications Corporation will initially create 500 or more job opportunities, with a total of 1400 jobs and a taxable capital investment in Montgomery County of \$16 Million within a thirty (30) month period; and

WHEREAS, The incentives offered by Montgomery County will be paid back to the County within three (3) years in tax revenues paid by EchoStar Communications Corporation to Montgomery County.

NOW THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia, hereby agrees as an incentive to induce EchoStar Communications Corporation to locate a call center in Montgomery County, to appropriate and provide \$300,000 to assist with the out-fitting and

operations of a temporary training/call center, and for the development costs related to the construction of the new 100,000 square foot call center for EchoStar Communications Corporation.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, agrees to provide as further incentive a \$50,000 annual rent reduction over a four (4) year period and to provide certain other incentives such as leasing the Falling Branch Industrial Park to EchoStar at no cost until such time that the building is purchased.

BE IT FURTHER 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:

810	Economic Development	\$300,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02810-419108	Recovered Costs	\$170,849
02-290000	Fund Balance	<u>\$129,151</u>
	Total	\$300,000

The vote on the foregoing motion was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

Montgomery County Vehicle Decals Due to informational error by the DMV, a number of town residents in Blacksburg and Christiansburg received information to purchase a County Decal. Town residents who purchased a County decal by mistake can exchange the decal for a Town decal at no extra cost.

BOARD MEMBERS' REPORTS

Supervisor Muffo reminded the Board that the annual Broomin' and Bloomin' is going to be held Saturday, April 15, 2000.

Supervisor Shorter requested a letter be sent to Governor Gilmore in reference to the Virginia Cooperative Coyote Damage Control Program(VCCDCP). The letter is asking for assistance with the availability of federal matching funds for the VCCDCP. Coyotes have created a significant problems for the farm industry in Virginia and the need for additional funding.

Community Signs Supervisor Shorter asked if it was a possible to get community signs put up in the rural areas of the County to let citizens know where the communities are located.

Re-condition Vehicles Supervisor Shorter asked if the County has looked into re-conditioning County vehicles. The Town of Blacksburg re-conditions their vehicles, which extends the life of the vehicle approximately five years.

Chair Biggs announced that National County Government Week will be held at the Courthouse this week, April 10 - 14, and that refreshments will be served on Wednesday April 12.

Guidelines for Boards/Commissions Chair Biggs requested that standards of conduct and ethical guidelines to be followed by anyone appointed by the Board of Supervisors to serve on a committee/board/commission, be drafted for the Board's consideration.

Echo Star Chair Biggs received a letter from Congressman Boucher thanking Montgomery County for all their efforts and hard work with Echo Star.

Auburn PTA Banquet is scheduled for April 26, 2000 at 6:00 p.m. Board Members are invited.

School Board Meeting The School Board will be discussing the invitation from the Board of Supervisors for dinner and discussion at their April 11th meeting.

INTO CLOSED MEETING

On a motion by Larry N. Rush, seconded by Annette S. Perkins 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

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1. County Administrator Evaluation

- (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. Blacksburg Industrial Park

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Joe C. Stewart	None
James D. Politis	
C.P. Shorter	
Larry N. Rush	
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>
Joe C. Stewart	None
James D. Politis	
C.P. Shorter	
Larry N. Rush	
Annette S. Perkins	
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

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

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

ADJOURNMENT

On a motion by C.P. Shorter, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, April 24, 2000 at 7:15 p.m.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 10:00 p.m.