

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 13TH DAY OF DECEMBER, 1999 AT 7:15 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Joseph V. Gorman, Jr.	-Chairman
	Mary W. Biggs	-Vice Chairman
	Ira D. Long	-Supervisors
	Annette S. Perkins	
	James D. Politis	
	Larry N. Rush	(7:30 p.m.)
	Joe C. Stewart	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahan	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Bob Isner	-Economic Development Director
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

PUBLIC HEARINGS

Rezoning Request

Greg Duncan request to rezone .542 acre; Tax Parcel No. 119A-A-65A from A-1 (Agriculture) to GB (General Business). Property is located at 1846 Union Valley Road, in the Riner Magisterial District. The Comprehensive Plan designates this area as rural expansion.

Greg Duncan, applicant, was present to answer questions from the Board. Mr. Duncan stated he has amended his request to rezone his property to Community Business (CB) instead of General Business (GB).

There being no speakers the public hearing was closed.

Rezoning and Special Use Permit Request

Bernard L. Ross and Victoria J. Taylor request to rezone 52.41 acres; Tax Parcel No. 67-A-199D from A-1 (Agriculture) to PUD-RES (Planned Unit Development-Residential) with a Special Use Permit to allow overnight lodging facilities, restaurant, retail sales, and spa. Property is located at 3141 Yellow Sulphur Road, in the Shawsville Magisterial District. The Mid County Growth Area Plan designates this area for planned development.

Bernard Ross, applicant, explained to the Board of Supervisors his intentions to renovate the Yellow Sulphur Springs, which is a state and federally designated historic landmark, into a spa resort. Mr. Ross stated he and his wife, Victoria Taylor, were available to answer any questions the Board may have.

There being no speakers the public hearing was closed.

An Emergency Ordinance Temporarily Amending Chapter 2, Article 2, Entitled Finance and Taxation, Section 2-32 and 2-33 of The Code of The County of Montgomery, Virginia in Order to Establish a New Due Date for the 1999 Personal Property Taxes and the 1999B Real Estate Taxes

There being no speakers the public hearing was closed.

DELEGATION

Virginia Explore Park- The Barnett House

Jane Crosier Barnett made a presentation on the donation of the Barnett House, located in Elliston, to the Virginia Explore Park. The Barnett House was built around 1820 in Elliston, Virginia and was donated to the Explore Park by William Crosier. Ms. Barnett requested the Board of Supervisors to donate \$27,500 to the Virginia Explore Park to help cover the cost of the archival research and architectural work. Ms. Barnett thanked the Board for their time and consideration.

PUBLIC ADDRESS SESSION

Rod Crowgey expressed his concerns with the revised zoning ordinance. Mr. Crowgey had questions about a pending subdivision rezoning request, and if they would be reviewed under the old zoning ordinance or new zoning ordinance if adopted tonight.

Bryan Rice expressed concerns about sliding scale. Mr. Rice stated if the sliding scale is adopted the cost of new housing will increase. There is a demand for affordable housing and the sliding scale will make it more difficult for citizens to find land.

Rick Whitney expressed his opposition to the revised zoning ordinance. Mr. Whitney stated Montgomery County did not compare with Clarke County in its example of the sliding scale. He asked if the zoning ordinance was adopted tonight then how would prior requests be reviewed.

Ray Alcorn spoke in favor of the revised zoning ordinance. Mr. Alcorn stated that both the Planning Commission and Board of Supervisors have worked very hard in revising the zoning ordinance. The proposed zoning ordinance is updated and will better serve Montgomery County. Mr. Alcorn also expressed his appreciation in working with Chairman Gorman and Supervisor Long over the years they have served on the Board of Supervisors.

Charlie Bowles spoke in favor of the revised zoning ordinance. Mr. Bowles stated now is the time to adopt a new ordinance. He suggested ten items the Board needs to do in the future to insure the control of the new zoning ordinance.

Larry Martin spoke in opposition of the revised zoning ordinance. He expressed his concerns with the affordability of new housing for the citizens of Montgomery County if the revised zoning ordinance is adopted as proposed. Mr. Martin also expressed his appreciation to Supervisor Long and Supervisor Gorman for their time and effort put forward in serving on the Board of Supervisors.

There being no further speakers the public address session was closed.

ADDENDUM - ADD TO THE AGENDA

On a motion by Ira D. Long, seconded by Larry N. Rush and carried unanimously, the following addendum

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dated December 13, 1999 was added to the agenda under New Business:

County Administration Facility: Award of Contract for Schematic Design

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Annette S. Perkins	
James D. Politis	
Joe C. Stewart	
Ira D. Long	
Larry N. Rush	
Joseph V. Gorman, Jr.	

CONSENT AGENDA

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated December 13, 1999 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
Ira D. Long	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
Mary W. Biggs	
Joseph V. Gorman, Jr.	

Approval of Minutes Dated November 10, 1999

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, minutes dated November 10, 1999 was approved.

Schedule Public Hearings -Board of Supervisors-Proposed Budget for Fiscal Year 2000-2001.

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby schedules a public hearing for Monday, January 10, 2000 at 7:15 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia for the purpose of receiving citizens' comments on the following:

Fiscal Year 2000-20001 County Budget

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

Recovered Costs - Sheriff

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

310	Sheriff-State	\$11,848
321	Sheriff-Grants	<u>\$ 8,000</u>
	Total	\$19,848

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

Revenue Account

441101	Insurance Recoveries	\$ 3,141
419108	Recovered Costs- Sheriff	\$ 3,655
423100	Shared Expenses	\$ 5,052
424401	Selective Traffic Enforcement	<u>\$ 8,000</u>
		\$19,848

Said resolution appropriates monies from insurance recoveries, extraditions, restitution paid by inmates for damages to jail property, rebate received on medical supplies, the Town of Blacksburg's share of Price's Mountain upkeep; additional Compensation Board reimbursements; and Selective Traffic Enforcement Grant funds.

Commonwealth's Attorney Additional Appropriation

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

220	Commonwealth's Attorney	\$ 5,950
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The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

419104	Confiscations	\$1,349
419108	Recovered Costs	<u>\$4,601</u>
	Total	\$5,950

Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services and reimbursement from the Supreme Court of Virginia for witness expenses in Circuit Court trials.

Revenue Refunds: Supplemental Appropriation

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

900	Revenue Refunds	\$82,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

498PP	1998 Personal Property Tax	\$82,000
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Said resolution appropriates additional funds for the payment of revenue refunds.

Recovered Costs: Longshop/McCoy Volunteer Fire Department and Riner Volunteer Fire Department

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

330 Volunteer Fire and Rescue \$ 693

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

Revenue Account

441101 Insurance Recoveries \$ 693

Said resolution appropriates monies received from insurance claims resulting from two separate accidents involving Fire Department vehicles.

Recovered Costs: Registrar

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

170 Registrar \$237

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

Revenue Account

419108 Recovered Costs \$237

Said resolution appropriates funds received as a reimbursement for postage.

Recovered Costs: Parks and Recreation

On a motion by Ira D. Long, seconded by Mary W. Biggs 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:

700 Parks and Recreation \$366

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

Revenue Account

419108 Recovered Costs \$366

Said resolution appropriates funds received as a reimbursement from the drink machines at the Frog

Pond.

PSA - Authorization for Purchase of Dump Truck with CIP Funds

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The approved CIP budget for FY 1999-00 included \$45,000 for a PSA ditchwitch; and

WHEREAS, The PSA has a more immediate need for a dump truck and has requested the \$45,000 be used for a dump truck.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the PSA to use the funds originally appropriated for a ditchwitch for the purchase of a dump truck.

Final Plat - Windy Ridge Subdivision

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Windy Ridge Subdivision consists of 6 lots located off Green Meadow Drive and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, 33.1163 acres of common open space is established along Indian Run.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Windy Ridge Subdivision (Gay and Keesee Inc. Job No. 702 dated 11/02/99), Mt. Tabor Magisterial District, including a private street in accordance with Section 9-152(b)(3).

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

Request to Withdraw from Agricultural and Forestal District-3 (Little River)

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Danbury Ltd. has applied to Montgomery County for the withdrawal of approximately 10 acres (Tax Parcel 135-A-23D) from Agricultural & Forestal District-3 (Little River).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Danbury Ltd. withdrawal request is hereby referred to the Agricultural and Forestal District Advisory Committee and the Planning Commission for recommendation.

FURTHER, That a **public hearing** on the Danbury Ltd. withdrawal request is hereby scheduled on **Monday, January 24, 2000 at 7:15 p.m.** in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens' comments.

Appointments

Parks and Recreation Commission

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby **reappoints Roy S. Jones** to the Parks and Recreation Commission effective January 1, 2000 and expiring December 31, 2002.

Montgomery Regional Economic Development Commission

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby **reappoints David A. Burdette** to the Montgomery Regional Economic Development Commission effective January 1, 2000 and expiring December 31, 2002.

Montgomery Regional Economic Development Commission

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby **reappoints Brad Dornado** to the Montgomery Regional Economic Development Commission effective January 1, 2000 and expiring December 31, 2002.

Western Virginia Emergency Medical Services Council

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby **reappoints Jerry W. Olinger** to the Western Virginia Emergency Medical Services Council effective February 1, 2000 and expiring January 31, 2003.

Emergency Services Director

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby appoints Jeffrey D. Johnson, County Administrator, as Director of Emergency Services effective December 31, 1999 and ending December 31, 2000.

OLD BUSINESS

Virginia Department of Transportation (VDOT) Six Year Road Improvement Plan

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, in cooperation with representatives of the Virginia Department of Transportation, have prepared a proposed Six-Year Plan for Montgomery County listing improvements proposed on the State Secondary Highway System in Montgomery County for which funds are to be budgeted in fiscal years 1999-2005; and

WHEREAS, A duly advertised public hearing was conducted at the County Courthouse in Christiansburg, Virginia at 7:15 p.m. on November 22, 1999 for the purpose of informing interested citizens of the proposed Six-Year Plan and for soliciting public input into the planning process in accordance with

Section 33.1-70.01 of the Code of Virginia of 1950, as amended; and

WHEREAS, This Board has given due consideration to such input and other factors pertaining to improvements of the State Secondary Highway System in Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County hereby approves the aforementioned Six-Year Plan for Improvement of the State Secondary Highway System in Montgomery County for fiscal years 1999-2005.

BE IT FURTHER RESOLVED, That adoption of this plan also establishes priorities for preparation of the annual budget for the fiscal year 2000-2001 by the Virginia Department of Transportation Resident Engineer.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Ira D. Long	None
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
Mary W. Biggs	
Larry N. Rush	
Joseph V. Gorman, Jr.	

Rural Addition Priority List

On a motion by James D. Politis, seconded by Ira D. Long and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Road Viewers' Reports for Fiscal Year 1999-2000 are hereby accepted and the Rural Addition Priority List is approved as follows:

- Priority 1** **Former State Route 701.** Beginning at a point on Route 657, 0.05 mi. south of Route 808, and thence extending in a south westerly direction 0.25 mi. to a turn-around. Estimated project cost - \$54,000.
- Priority 2** **Nature's Waye Road.** Beginning at the end of state maintenance of Route 734, 0.20 mi. northeast of Route 785, and thence extending in a northeasterly direction 0.54 mi. to a cul-de-sac. Estimated project cost - \$85,500.
- Priority 3** **Green Hill Lane.** Beginning at a point on Route 11/460, 0.2 mi. east of Route 626, and thence extending in a northerly direction 0.25 mi. to a turn-around. Estimated project cost - \$31,800.
- Priority 4** **Big Vein Road.** Beginning at a point on Route 652, 0.3 mi. west of Route 696, and thence extending in a northerly direction 0.5 mi. to a turn-around. Estimated project cost - \$66,600.
- Priority 5** **Cornbread Road.** Beginning at a point on Route 665, 0.40 mi. west of Route 787, and thence extending in a southerly direction 0.45 mi. to a turn-around. Estimated project cost - \$68,600.

- Priority 6** **Regency Road.** Beginning at a point on Route 753, 0.04 mi. north of Route 11/460, and thence extending in a westerly direction 0.05 mi. to a turn-around. Estimated project cost - \$8,000.
- Priority 7** **Sunflower Road.** Beginning at the end state maintenance of Route 729, 1.0 mi. north of Route 612, and thence extending in a northerly direction 0.70 mi. to a turn-around. Estimated project cost - \$120,300.
- Priority 8** **Brake Road.** Beginning at the end of State maintenance of Route 831 and extending in a southerly direction 0.671 mi. to a turn-around. Estimated project cost - \$120,000.
- Priority 9** **Wrights Way.** Beginning at a point on Route 785 and extending in a northerly direction .17 mi to a turn-around. Estimated project cost - \$40,000.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Joe C. Stewart	
Annette S. Perkins	
Mary W. Biggs	
Larry N. Rush	
Ira D. Long	
Joseph V. Gorman, Jr.	

An Ordinance Temporarily Amending Chapter 2, Article 2, Entitled Finance and Taxation

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously,

1999-11
AN ORDINANCE TEMPORARILY
AMENDING CHAPTER 2, ARTICLE 2, ENTITLED
FINANCE AND TAXATION, SECTION 2-32 AND 2-33 OF THE
CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA
IN ORDER TO ESTABLISH A NEW DUE DATE FOR
THE 1999 PERSONAL PROPERTY TAXES AND
THE 1999B REAL ESTATE TAXES

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, by this ordinance that Chapter 2, Article 2, Section 2-32 and 2-33 of the Code of Montgomery County, Virginia be temporarily amended and reordained as follows:

1. All 1999 taxes or levies on tangible personal property in the County due and payable on December 5, 1999 shall be due and payable to the Treasurer of the County on or before January 17, 2000.
2. All 1999B taxes or levies on real estate in the County due and payable on December 5, 1999 shall be due and payable to the Treasurer of the County on or before January 17, 2000.
3. Penalty on delinquent taxes is hereby imposed not exceeding 10% of the tax past due on such

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property, however, in no case shall the penalty exceed the amount of the tax due. Penalty shall commence on January 18, 2000 for the 1999 personal property taxes and 1999B real estate taxes.

4. Interest on delinquent taxes is hereby imposed at a maximum rate authorized by state law and will commence on February 1, 2000 and not January 1, 2000, for the 1999 personal property taxes and 1999B real estate taxes.
5. This Ordinance shall only apply for the 1999 personal property taxes or levies and the 1999B real estate taxes or levies. Sections 2-32 and 2-33 of the Montgomery County Code, as enacted before the passage of this Ordinance, shall once again apply to all tangible personal property taxes or levies and real estate taxes or levies starting with the year 2000 assessments. All taxes or levies on tangible personal property in the County shall be due and payable during the year for which the same are assessed on or before December 5 of such year and that all taxes or levies on real estate in the County shall be due and payable during the year for which the same are assessed in two (2) approximately equal installments as follows: one-half on or before June 5th and one-half on or before December 5th of such year, and interest on delinquent taxes shall be imposed at the maximum rate authorized by State law.

ADOPTED by the Board of Supervisors of the County of Montgomery, Virginia, this 13th day of December, 1999.

The vote on the foregoing ordinance was as follows:

AYE
Joe C. Stewart None
Annette S. Perkins
Mary W. Biggs
Larry N. Rush
Ira D. Long
James D. Politis
Joseph V. Gorman, Jr.

NAY

Revised Zoning Ordinance

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

**ORDINANCE 1999-12
An Ordinance Amending Chapter 10
of the Montgomery County Code, Entitled Zoning**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that Chapter 10 entitled "Zoning", be amended and reordained as attached.

The vote on the foregoing ordinance was as follows:

AYE
Annette S. Perkins
Mary W. Biggs
Larry N. Rush
Ira D. Long
James D. Politis

NAY
Joe C. Stewart

Joseph V. Gorman, Jr.

NEW BUSINESS

Montgomery County's 2000 Legislative Program

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby adopts as their 2000 legislative priorities the document entitled "Montgomery County's Legislative Program for 2000" dated December 13, 1999, as amended to include support for equal compensation for Sheriff Road Deputies and Virginia State Troopers.

BE IT FURTHER RESOLVED, That the Montgomery County Board of Supervisors supports the priorities and positions of Virginia Association of Counties' (VACo) 2000 Legislative Program as outlined in the Montgomery County's Legislative Program.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	Joe C. Stewart
Larry N. Rush	
Ira D. Long	
James D. Politis	
Annette S. Perkins	
Joseph V. Gorman, Jr.	

Agreement Between Montgomery County and the Industrial Development Authority

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby approves the agreement between Montgomery County and the Industrial Development Authority (IDA) for repayment of the County's costs associated with the IDA's shell building at the Elliston/Lafayette Industrial Park from the income derived from the property.

BE IT FURTHER RESOLVED, The Chairman is authorized to sign said agreement on behalf of the County.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
Ira D. Long	
James D. Politis	
Annette S. Perkins	
Mary W. Biggs	
Joe C. Stewart	
Joseph V. Gorman, Jr.	

Social Services: Appropriation and Transfer from General Contingencies

On a motion by Larry N. Rush, seconded by Ira D. Long 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 \$42,589

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

Revenue Account

24102 Public Assistance \$42,589

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

FROM:

950 General Contingencies (\$566)

TO:

540 Social Services \$566

Said resolution appropriates additional allocations for the Child Day Care Local Quality Initiative, Service Administration costs, the Head Start Day Care Program, and Food Stamp Employment Training Program and transfers \$566 from general contingencies for the local match for Service Administrative costs.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Larry N. Rush	None	Joe C. Stewart
Ira D. Long		
James D. Politis		
Annette S. Perkins		
Mary W. Biggs		
Joseph V. Gorman, Jr.		

Parks and Recreation: Frog Pond/Bath House Expansion

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a purchase order to **U. S. Construction** of Roanoke, Virginia for \$ 139,258, to renovate/expand the bath house located at the County's Frog Pond.

BE IT FURTHER RESOLVED, 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:

940 Swimming Pool Renovation/CIP \$27,000

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

424244 Capital Bonds \$27,000

Said resolution awards a purchase order for the renovation and expansion of the Frog Pond Bath House and appropriates bond funds necessary for the purchase.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Joe C. Stewart	
Mary W. Biggs	
Ira D. Long	
James D. Politis	
Larry N. Rush	
Joseph V. Gorman, Jr.	

County Administration Facility: Award of Contract for Schematic Design

On a motion by Ira D. Long, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a contract to Thompson + Litton of Radford, Virginia for \$78,000 for architectural and engineering schematic design services to renovate the existing Montgomery County Enterprise Center and associated adjacent buildings and site as a County Administration facility.

BE IT FURTHER RESOLVED, That the County Administrator is authorized to sign the contract documents subject to review and approval by the County Attorney.

BE IT FURTHER RESOLVED, 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:

940	County Administration Facility/CIP	\$78,000
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The source of the funds for the foregoing appropriation is as follows:

424244	Capital Bonds	\$78,000
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Said resolution awards a contract for schematic design services for a County Administration facility.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Ira D. Long	
James D. Politis	
Larry N. Rush	
Annette S. Perkins	
Joe C. Stewart	
Joseph V. Gorman, Jr.	

COUNTY ATTORNEY'S REPORT

Prices Fork Incorporation The County Attorney reported that the three judge panel has scheduled a trial for the Prices Fork Incorporation for January 10, 1999 at 9:30 a.m.

COUNTY ADMINISTRATOR'S REPORT

Workforce Investment Act (WIA) The Economic Development Director reported he attended a planning session for the new WIA program on November 29, 1999. He reported on the WIA task list and timetable which lists several tasks that must be completed in the next 60-90 days. The Board will be kept informed of all activities on the WIA program. The next meeting is scheduled for December 15, 1999.

BOARD MEMBERS' REPORTS

Supervisor Politis expressed his appreciation to Supervisor Long and Chairman Gorman for all their support and help during his first term on the Board of Supervisors. He also thanked the Board for their support in adopting the zoning ordinance earlier this date.

Supervisor Stewart expressed his concerns with the construction of the Shawnee Log Home Builders on their current site in Shawsville. Supervisor Stewart stated that this parcel of land is in the flood plain even though the map shows it in the flood fringe. He wanted to know what the County could do to prevent the construction of structures on this parcel. The County Administrator explained that the County was enforcing all zoning laws according to the maps provided to them by FEMA. He stated that they would survey the land and revise the maps accordingly if the Board so desires. The Chairman also reported he had a call in to the Virginia Department of Conservation and Preservation to get any information concerning flooding.

Supervisor Perkins attended the Economic Development Commission meeting on December 9, 1999. Jerry Higgins was re-elected Chairman for the upcoming year. The relationship between Montgomery County and the New River Community College will be one issue the Commission will be discussing in the Year 2000.

Clay Street Supervisor Perkins has been contacted by several citizens with concerns about the construction trucks going in and out of Clay Street from the construction site of duplexes on Clay Street. She asked the County Administrator to investigate this issue.

Supervisor Perkins also expressed her appreciation to Supervisor Long and Chairman Gorman for their dedication as Supervisors.

Supervisor Biggs thanked the Board of Supervisors and the Planning Commission for their support in adopting the zoning ordinance. She asked for the Board's permission to express to the Planning Commission the Board's appreciation for their time and effort in working on the zoning ordinance.

School Board Supervisor Biggs attended the School Board's budget hearing. The next meeting is scheduled for December 14, 1999 and the issue of shortage of substitute teachers will be discussed.

Supervisor Biggs expressed her thanks to Supervisor Long and Chairman Gorman for their years of service on the Board of Supervisors.

Supervisor Rush requested the County Administrator to contact VDOT concerning maintenance problems on Pikes Lane.

Christiansburg High School Tennis Courts Supervisor Rush asked the County Administrator to check the status of repairing the tennis courts at Christiansburg High School.

Miners Park Supervisor Rush reported that the Radford University students were almost finished with their review and report of the proposed miners park in Merrimac. A full recommendation will be forwarded to the Board.

Supervisor Long expressed his appreciation to all the Board members and staff over his years of service.

Chairman Gorman expressed his thanks to the Board for their support during his eight years on the Board and the last 2 years as Chairman. He stated that the Board has worked as a team along with the staff. Chairman Gorman congratulated and welcomed the newly elected Board members. He also thanked the Board for their support in adopting the zoning ordinance.

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

- Mary W. Biggs
- Ira D. Long
- Larry N. Rush
- James D. Politis
- Joe C. Stewart
- Annette S. Perkins
- Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

ADJOURNMENT

On a motion by Larry N. Rush, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Wednesday, December 21, 1999 at 3:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Ira D. Long	
Larry N. Rush	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
Joseph V. Gorman, Jr.	

The meeting adjourned at 10:00 p.m.

ATTEST:

CHAIRMAN

COUNTY ADMINISTRATOR