

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 26TH DAY OF JANUARY, 1998 AT 7:00 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT: Joseph V. Gorman, Jr. -Chairman
Larry N. Rush -Vice Chairman
Mary W. Biggs -Supervisors
Ira D. Long
Annette S. Perkins
James D. Politis
Joe C. Stewart
Jeffrey D. Johnson -County Administrator
L. Carol Edmonds -Assistant County Administrator
Martin M. McMahon -County Attorney
Angela M. Hill -Director, Financial & Management Services
Judy W. Kiser -Secretary

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

DELEGATIONS

FY 1997 Audit Report

The Director of Financial and Management Services explained that Montgomery County has been awarded a Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial report for the last ten consecutive years. In order to win this award, a government unit must publish an easily readable and efficiently organized comprehensive annual financial report, whose contents conform to program standards.

Representatives of Robinson, Farmer, Cox Associates presented Montgomery County's audit for the year ended June 30, 1997. Although their report dated October 15, 1997 on the financial statements of the County are not affected, the following comments and recommendations were made: The Public Service Authority bank reconciliations were not entirely complete until October. Bank reconciliations should be performed within thirty days of receipt of bank statement from the bank. In the Parks and Recreation Department, in several instances, swimming pool receipts were not remitted to the Treasurer for six to seven days, resulting in thousands of dollars being held by

the pool personnel for several days. Receipts should be remitted to the Treasurer or the bank on a daily basis if possible. No documentation exists for the concessions receipts. It is recommended that when the money is removed from the machines, the money be counted and an employee not associated with the counting of the cash sign off on a cash count sheet before the funds are deposited with the Treasurer or the bank. Receipts are not being issued consistently in numeric order. In addition, there are a large number of voided receipts indicating possible cash refunds being given to participants. Receipts should be issued for all monies collected and should be issued in numeric order. If a participant cannot attend an event or the event is canceled, all receipts should be refunded through the County's accounts payable system. Consideration of both a centralized place for citizens to make payments for recreation activities and a computerized accounting system may help in alleviating the preceding problem.

Longshop/McCoy Fire and Rescue Department

Nancy Hurst, speaking on behalf of the Longshop/McCoy Fire and Rescue, requested that the Board consider acquiring land for a new building in the Longshop/McCoy area. According to Ms. Hurst, the land they have deemed most suitable for a new station is located on McCoy Road 0.7 mile west of the bridge across Tom's Creek, which is predominantly owned by Virginia Tech.

PUBLIC ADDRESS SESSION

Julia Akers-Passenger Rail Service Ms. Akers spoke in support of the proposed passenger rail service that is currently under consideration by the Virginia Department of Rail and Public Transportation. Routes under consideration are Roanoke-Washington, D.C. and Richmond - Bristol. Comments from the public will be accepted through the first week in February.

A resolution of support is listed under New Business for consideration by the Board.

Margaret Smith-Riner Rezoning of Greear Property Ms. Smith said she is concerned that issues raised by the Friends of Riner at the January 21st Planning Commission meeting were not addressed although a list of criteria was submitted. She asked that staff explain why they advised Auburn Golf Course developers to take out request for 15 acres to be zoned GB, but make no such recommendation to Auburn Village's 22 acre request for COM, which is equivalent to GB. She went on to say that the Planning Commission should be directed to define low, medium and high density housing.

ADD TO AGENDA-ADDENDA

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously, the Addenda dated January 26, 1998 were added to the agenda as follows:

Supplemental Appropriation-Funds for School Projects (Add to Old Business)

National Association of Counties (NACo) 1998 Annual Conference (Add to New Business)

Land for Elliston Area Branch Library Site-Refer to Real Estate Committee (Add to New Business)

Add to Executive Session

Section 2.1-344(A) (3) Discussion of the Condition, Acquisition or Use of Real Property for Public Purpose

1. Christiansburg Middle School

CONSENT AGENDA

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously, the Consent Agenda dated January 26, 1998 was approved. The vote was as follows:

AYE

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

NAY

None

Approval of Minutes of January 12, 1998

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously, the Minutes of January 12, 1998 were approved.

Schedule Public Hearings-Board of Supervisors

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County hereby schedules a public hearing on Monday, February 23, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens comments on the following:

Rezoning

-Brush Mountain Estates, LLC, request to rezone 417 acres; Tax Parcel No. 15-A-16 from A-1 (Agriculture) to R-1 (Residential). Property is located on the east side of Pandapas Pond Road, between Preston Forest subdivision and the Jefferson National Forest in the Mt. Tabor Magisterial District. The Comprehensive Plan designates part of this area as rural and part as conservation.

Rezoning

-Paul Epperly request to rezone 2 acres; Tax Parcels Nos. 90C-A-20A and 20C from GB (General Business) to R-3 (Residential). Property is located behind 3079 Radford Road in the Plum Creek community in the Riner Magisterial District. The Comprehensive Plan designates this area for urban expansion.

Special Use Permit

-Sisson & Ryan, Inc. request for a Special Use Permit to allow expansion of an existing quarry on 127 acres; Tax Parcel Nos. 82-83,86,88,91,91A,93,108A,110,111,112 and 113. Property is located on Roanoke Road between Wayside Drive and Poplar Hollow Road in the Shawsville Magisterial District. The Comprehensive Plan designates this area as rural.

Rezoning

-Cedar Orchard Corporation request to rezone 8 acres; Tax Parcel No. 41-3-1 from RM-1 (Multi-family) to R-3 (Residential). Property is located on the north side of Clay Street, immediately east of Cherry Lane in the Mt. Tabor Magisterial District. The Comprehensive Plan designates this area for urban expansion.

Rezoning

-William and Lockie Greear request to rezone 126 acres; Tax Parcels Nos. 119-A-32 and 33 from A-1 (Agriculture) to PUD-COM (Planned Unit Development-Commercial) and PUD-RES (Planned Unit Development-Residential). Property is located on the northwest corner of the intersection of Riner Road and Fairview Church Road in the Riner Magisterial District. The Comprehensive Plan designates this area for rural expansion.

Zoning Ordinance Amendment

-Amend Sections 10-252 (c) and 10-266(c) relating to the PUD-RES and PUD-COM application process.

Section 10-252(c)

(c)The planning commission shall review the applicant’s preliminary master plan. This review shall include a review and recommendation from any planning commission subcommittee deemed appropriate. As part of its review, the commission shall hold a ~~joint~~ public hearing ~~with the board of supervisors~~ as pursuant to section 15.1-431 of the Code of Virginia, as amended.

Section 10-266(c)

(c) The planning commission shall review the applicant’s preliminary master plan. This review shall include a review and recommendation from any planning commission subcommittee deemed appropriate. As part of its review, the commission shall hold a ~~joint~~ public hearing ~~with the board of supervisors~~ as pursuant to section 15.1-431 of the Code of Virginia, as amended.

Deletions are lined out

There are no additions

Sale of 1974 Ford 7-750 Fire Truck-Blacksburg Volunteer Fire Department

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to sell a 1974 Ford F-750 Fire Truck to **John’s Creek Volunteer Fire Department** of New Castle, Virginia for \$10,000. The sale of this item was handled through IFB # 98-22.

FURTHER, 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, 1998 for the function and amount as follows:

440 Fire and Rescue - Blacksburg VFD \$10,000

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

Revenue Account

1901-48 Recovered Costs - Fire and Rescue \$10,000

Utility Vehicle-Sheriff’s Office

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a purchase order to **Berglund Ford** of Salem, Virginia for the purchase of one 1998 Ford Explorer for \$24,445, resulting from IFB # 98-21.

Fencing Project for Elliston Bridge

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a purchase order for \$7,495 to **Gusler’s Fencing** of Newport, Virginia to furnish and install chain link fencing as specified in IFB # 98-20.

Library Materials, Equipment and Supplies

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the purchase of library materials, equipment, and supplies from jobber contracts established by the Southwest Virginia Information Network Group, Inc. (SWING) in such amounts as are appropriate to obtain the lowest price on these items. SWING issued an RFP in

September 1997, negotiated, and awarded contracts. The agreements were competitively procured. SWING is a cooperative of public, academic, school, and special libraries primarily in Southwest Virginia and contiguous Tennessee. The contract is valid for the period January 1, 1998 through December 31, 1998, with the option to renew in one-year increments for three years upon satisfactory performance and mutual agreement of contractor and SWING.

Library-Supplemental Appropriation

On a motion by Ira D. Long, 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, 1998, for the function and in the amount as follows:

421	Floyd Library	\$2,158
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
7000-00	Undesignated Fund Balance	\$2,158

Said resolution appropriates donations for use by the Library.

E-911 Street Naming-Rutherford Drive

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

WHEREAS, The landowner located on a private street off Lick Run Road (State Route 781) has petitioned the county to name this street Rutherford Drive.

WHEREAS, Rutherford Drive complies with the County Street Name Policy.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that, after duly considering said request, the Board approves the use of the name Rutherford Drive.

Jefferson National Forest-Payment of Tipping Fees

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to pay to the Montgomery Regional Solid Waste Authority the tipping fees for debris resulting from clean-up of illegal dump sites in the Montgomery County portion of the Jefferson National Forest.

FURTHER, The Forest Service is requested to attempt to trace illegal dumps to the source and provide names to the County for further investigation.

Board of Supervisors-Improved Communications via Fax or E-Mail

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board shall pay the cost associated with one telephone line to the home of each Board member requesting such a line to improve communications via fax or E-mail access.

APPOINTMENTS

Industrial Development Authority

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia, does hereby reappoint James A. Mattox to the Industrial Development Authority, effective January 26, 1998 and expiring January 25, 2002.

Southwest Development Financing, Incorporated

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia, does hereby reappoint Brian T. Hamilton to the Southwest Development Financing, Incorporated, effective January 1, 1998 and expiring December 31, 1999.

New River Valley Airport Commission

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby appoint **Bob Isner** to the New River Valley Airport Commission, effective January 26, 1998.

OLD BUSINESS

Schools-Appropriation of Trigon Stock Proceeds

On a motion by Larry N. Rush, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, that the School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ended June 30, 1998, for the function and in the amount as follows:

992	School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund	\$701,860
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Revenue Account

189911	Proceeds from Sale of Trigon Stock - School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund	\$701,860
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Said resolution appropriates monies originally received from the sale of the School's Trigon Stock for School capital improvement projects.

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

FROM:

992	County of Montgomery School Construction, Renovation, Maintenance, Capital Outlay and Debt Service Fund	(\$701,860)
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TO:

923	School CIP - Trigon Proceeds	\$701,860
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Said resolution transfers funds received from the sale of the School's Trigon Stock to the General Fund for School capital improvement projects.

Supplemental Appropriation-Funds for School Projects

On a motion by Larry N. Rush, 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, 1998 for the function and in the amount as follows:

948	School (CIP)	\$35,600
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The source of funds for the foregoing appropriation is as follows:

Revenue Account:

7000-00	Undesignated General Fund Balance	\$35,600
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Said resolution appropriates monies for replacement of the tennis court overlay at Auburn High School and pave a play area at Elliston/Lafayette Elementary School.

Christiansburg High School Gym Floors

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

BE IT RESOLVED, that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ended June 30, 1998, for the function and in the amount as follows:

922 Gym Floor Replacement \$112,400

Revenue Account

7000-00 Undesignated General Fund Balance \$112,400

Said resolution appropriates monies for replacement of the gym floor at Christiansburg High School.

NEW BUSINESS

Consolidated Greenbox Site 90-Day Option

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Administrator is hereby authorized to obtain a 90-day option for land for a consolidated site in the Merrimac area, to be reviewed with the Real Estate Committee.

Support of Passenger Rail Service

On a motion by Larry N. Rush, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The New River Valley Planning District Commission has studied potential locations for passenger rail stations in the New River Valley in conjunction with the Virginia Department of Rail and Public Transportation’s study of passenger rail service between Bristol, Virginia and the metropolitan areas of Washington D.C., and Richmond, Virginia; and

WHEREAS, This rail service would provide a transportation alternative and could lead to economic and social benefits for the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia supports the provision of passenger rail service from Bristol, Virginia to Washington, D.C., and Richmond, Virginia.

National Association of Counties (NACo) 1998 Annual Conference

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

WHEREAS, The Montgomery County Board of Supervisors is a member of the National Association of Counties; and

WHEREAS, The 1998 Conference is scheduled for February 27-March 3, 1998 at the Washington Hilton & Towers in Washington, D.C.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors authorizes the County Administrator to arrange registration and reservations and to reimburse Chairman Gorman for expenses arising from attendance at the NACo conference.

BE IT FURTHER RESOLVED, That the Board of Supervisors endorses Chairman Gorman's attendance and participation at NACo's 1998 Annual Conference.

Land for Elliston Area Branch Library Site-Refer to Real Estate Committee

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 pursuant to a request from the Montgomery-Floyd Regional Library Board to acquire land for a library to serve the eastern area of the County, hereby refers this request to the Real Estate Committee for review and recommendation.

COUNTY ADMINISTRATOR'S REPORT

National Forest Access Road At the January 12, 1998 Board meeting, citizens spoke about illegal dumping, speeding, etc. along the Jefferson National Forest access road. The County Administrator and the Greenbox Committee has met with the Sheriff to outline the need for additional law enforcement presence in order to curtail illegal activities. Interested sportsmen have indicated their willingness to remove litter and materials dumped along this road; and the County Administrator will make staff and equipment available to assist. The Board adopted a resolution earlier in this meeting agreeing to pay the tipping fees for debris resulting from clean-up of illegal dump sites in the County's portion of the Jefferson National Forest.

The Chairman requested that the County Administrator correspond with the citizens who spoke about their concerns on this road, and explain the actions taken by the County up to this point.

School Administration has asked that County staff participate in the selection of their facilities director. The County has, in turn, asked that a member of School staff assist in reviewing the RFP's for the space utilization study the County has underway. Twelve companies have responded to the RFP, and hopefully one of the twelve will be recommended to the Board of Supervisors at the February 23rd meeting.

BOARD MEMBERS' REPORTS

Supervisor Long-Hodge Garage Supervisor Long received a telephone complaint from a resident

on Merrimac Road, about the hours of operation of this garage. Apparently, the garage opens too early in the morning, and stays open until as late as 10 p.m. Also, the Sheriff has received complaints in the past. Supervisor Long believes that when this property was rezoned, there were conditions or proffers attached to the rezoning.

Supervisor Long asked that the County Administrator and County Attorney look into these complaints and report back to the Board.

Supervisor Rush-Sheriff's Budget Supervisor Rush asked that staff make sure the \$18,500 for the new equipment for the transmission of radio signals be included in the Sheriff's budget.

The County Administrator said this item is in the Sheriff's budget, and is in the recommendations.

Supervisor Perkins-National Forest Access Road Supervisor Perkins expressed her appreciation to the County Administrator for the actions taken on the above referenced road which was reported under the County Administrator's Report earlier in this meeting.

Health and Human Services Commission Ms. Perkins attended a meeting of the Health and Human Services Commission last week, at which the State Director of the Department of Social Services spoke on the Virginia Initiative for Employment not Welfare (VIEW) and The Virginia Independence Program (VIP). This program appears to be meeting with success in the Commonwealth.

Economic Development Commission Due to other commitments by several of the Commission members, they were unable to go over their plan of action. There was a suggestion that the County Administrator and the School Superintendent be invited to attend as liaison members to the Commission.

Partnership Conference Supervisors Perkins and Biggs, along with the County Administrator and the Assistant County Administrator, attended the Partnership Conference in Richmond. The School Superintendent and Chairman of the School Board also attended the conference.

Supervisor Politis-Greear Rezoning in Riner Area Constituents in the Riner area are expressing their concerns about the rezoning of the Greear property. Concerns include the impact it will have on the schools, the availability of water and sewer, the roads, etc.

This matter is scheduled for a Board of Supervisors' public hearing on February 23, 1998 at 7:00 p.m.

Supervisor Stewart-Bounty on Coyotes Several meetings ago, Supervisor Stewart had requested that the County Attorney look into the possibility of enacting a bounty on coyotes because of the danger they pose to livestock. He asked for a status report from the County Attorney.

The County Attorney explained that there is no specific statutory authority granting the county the right to declare a bounty on coyotes. However, the State Code allows that the Commissioner of Agricultural and Consumer Services shall have the power to enter into agreements with local, state and federal agencies or other persons for the control of coyotes which pose a danger to agricultural animals.

Flood damage to roads Supervisor Stewart asked that the County Administrator contact the Department of Transportation about repairing flood damage that was done to the roads, specifically SR 636, where the shoulder of the road is approximately 15" below the hard surface.

Supervisor Biggs-Partnership Conference The Partnership Conference with the Virginia School Board Association and Virginia Association of Counties was well attended by School Board members and County staff. The down side of the conference was in learning that a lot of new funds coming to the schools will require a local match.

School Board-Blacksburg Middle School It is Supervisor Biggs' understanding that the Board of Supervisors is awaiting a recommendation from the School Board on potential school sites.

School Budget Hearing is scheduled for Tuesday, January 27, 1998 at 7:00 p.m. at Falling Branch Elementary School.

Planning Commission will meet on Wednesday, January 28, 1998 at 7:00 p.m. and continue their review of the zoning ordinance revisions. Portions of the draft revisions have been sent back to the consultants to be redone. It is not clear if the consultants will wait until the Planning Commission has completed their review and returned all portions of the draft they wish to be redone before revising the draft document in its entirety. The Planning Commission may finish their review of the complete document within the next few months. Supervisor Biggs pointed out that this is a very tedious process.

Supervisor Biggs provided copies to the Board of the Planning Commission work program, with zoning ordinance revision listed as the top priority.

County Administrator-Partnership Conference The County Administrator noted that the Assistant Superintendent of Finance and Administration with the State Department of Education indicated at this meeting that the next biennium would see one of the largest increases in funding for public education in many years, with a lot of new initiatives. However, these initiatives will require more local money. The concern is will these new initiatives be partially implemented as happened with the technology initiative a few years ago, when additional state resources were provided to help implement technology into the classrooms, and state funds were stopped before this had been completed.

Chairman Gorman-Audit The Chairman asked that the County Administrator congratulate appropriate staff for all the hard work done on the audit.

School Site Selection Committee On January 21st, the Chairman, County Administrator, School Superintendent and Chairman of the School Board met to discuss the mission and purpose of the School Site Selection Committee. It was agreed that the direction in which to proceed would be in the form of a liaison committee made up of the above referenced individuals, and meet at least monthly.

Planning District Commission At the last meeting of the committee for the 765kV power line which former Supervisor Henry Jablonski served on, made no recommendation at that meeting.

Further study through the Economic Development Commission by the Planning District Commission, will result in another report before a recommendation is made.

Supervisor Biggs-County/School Relationship Supervisor Biggs commended the Chairman and the County Administrator on the stellar relationship with the School Board Chairman and School Superintendent.

INTO EXECUTIVE SESSION

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

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

- | | | |
|--------------------|-----|--|
| Section 2.1-344(A) | (3) | Discussion of the Condition, Acquisition or Use of Real Property for Public Purpose |
| | 1. | Fire and Rescue Station Site |
| | 2. | Christiansburg Middle School |
| | (7) | Consultation with Legal Counsel Pertaining to Actual or Probably Litigation or Other Specific Legal Matters Requiring the Provision of Legal Advice by Counsel |
| | 1. | Town Status-Price's Fork |
| | 2. | Commerce Park |
| | 3. | 765kV line |

OUT OF EXECUTIVE SESSION

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

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

CERTIFICATION OF EXECUTIVE SESSION

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 an executive 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 executive 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the executive meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
Larry N. Rush
Ira D. Long
Annette S. Perkins
James D. Politis
Joe C. Stewart
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 Thursday, February 5, 1998 at 2:00 p.m. at the Marriott Hotel in Richmond for Legislative Day.

The meeting adjourned at 10:30 p.m.