

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 9TH DAY OF FEBRUARY, 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. McMahan	-County Attorney
	Angela M. Hill	-Director, Financial & Management Services
	T. C. Powers, Jr.	-Planning Director (7:35)
	Steve Phillips	-Public Facilities Director
	Linda Crable	-Assistant Public Facilities Director
	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

Proposed FY 1998-99 School Budget

Representatives of the Montgomery County Schools presented a summary of the proposed 1998-99 School Operating Budget. The proposed school budget represents a 9.8% overall increase, and 18% local increase, over the FY 1997-98 budget.

PUBLIC ADDRESS SESSION

John LeDoux-Montgomery County Taxpayers Association Speaking on behalf of the Taxpayers Association, Mr. LeDoux said the school budget is impossible to review since only the increase over last year is provided. The Taxpayers Association recommends that the budget process be zero based, i.e. that the total budget be available for review, not just the increases.

Margaret Smith-Growth/Development in Montgomery County Ms. Smith suggested that the Board of Supervisors look at the City of Pittsburgh as an example of the planning process, which is people oriented and environmentally sound.

ADD TO AGENDA-ADDENDUM

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Addendum dated February 9, 1998 was added under New Business as follows:

Referral of Proposed Subdivision Amendment to Planning Commission for its Review and Recommendation

Minutes of January 26, 1998

The Minutes of January 26, 1998 were removed from the Consent Agenda at the request of the Chairman.

CONSENT AGENDA

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Consent Agenda dated February 9, 1998 was approved. The vote was as follows:

AYE

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

NAY

None

Schedule Public Hearing-Board of Supervisors

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors schedules a public hearing on Monday, March 23, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia for the purpose of receiving comments on the following proposed ordinance change:

Buildings and Plans; Permits

-Amending Chapter 8, Article II, Sections 8-17, 8-21 and 8-23 entitled Buildings, and repealing Article III, Division 2, Sections 8-81 through 8-92 entitled Plans; Permits of the

Montgomery County Code in order to comply with the State enabling legislation.

Supplemental Appropriation-Sheriff

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

510	Selective Traffic Enforcement	\$3,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

240428	Selective Traffic Enforcement	\$3,000
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Said resolution appropriates monies from the state Selective Traffic Enforcement Grant.

Commonwealth's Attorney-Transfer from Sheriff

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 a transfer is hereby authorized, as follows:

FROM:

311	Sheriff - 100% County	\$11
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TO:

330	Commonwealth's Attorney	\$11
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Said resolution transfers amounts appropriated as part of the Offender Financed Drug Program from the Sheriff's Department to the Commonwealth's Attorney.

APPOINTMENTS

Montgomery County Extension Leadership Council

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, does hereby appoint **Annette S. Perkins** to the Montgomery County Extension Leadership Council, effective February 9, 1998 and ending January 31, 1999.

Montgomery County Disaster Recovery Task Force

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, does hereby appoint **Annette S. Perkins** to the Montgomery County Disaster Recovery Task Force, effective February 9, 1998 and ending January 31, 1999.

Authorization to Fill Position-Administrative Assistant

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

BE IT RESOLVED, That the Board of Supervisors hereby authorizes the County Administrator to fill the following position:

-Administrative Assistant to County Administrator

OLD BUSINESS

Authorization to Apply for Virginia Public School Authority Bonds (VPSA)

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

WHEREAS, The Montgomery County School Board ("School Board") and the Board of Supervisors ("Board of Supervisors") of the County of Montgomery, Virginia ("County") have determined that it is advisable to contract a debt and issue general obligation bonds of the County in an amount not to exceed **\$7,300,000** to finance certain capital projects for public school purposes and to sell the Bonds to the Virginia Public School Authority ("VPSA").

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

1. The County Administrator is authorized and directed to execute and deliver an application to the VPSA in order to sell the Bonds to the VPSA at the Spring 1998 VPSA bond sale.
2. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County or the School Board to pay the costs of acquiring, constructing and equipping the capital projects for school purposes from the proceeds of its debt or other financings. The maximum amount of debt or other financing expected to be issued for such improvements is **\$7,300,000**.
3. This resolution shall take effect immediately.

Adopted by the Board of Supervisors of the County of Montgomery, Virginia on February

9, 1998.

Final Plat-Brush Mountain Estates Phases I and II

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

WHEREAS, Brush Mountain Estates Phases I and II, consisting of 41 lots and zoned Agriculture (A-1), located off Pandapas Pond Road (U.S. Route 460), have been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, The Montgomery County Code, Section 8-156 provides that a subdivider shall make adequate provision for storm and floodwater runoff and that if a subdivision involves new streets, the Department of Transportation shall determine that adequate provision for runoff will be taken; and

WHEREAS, The Virginia Department of Transportation requires that Montgomery County assume maintenance responsibility and liability that might arise from detention facilities in subdivisions; and

WHEREAS, The Montgomery County Code, Section 8-157 provides for approval by the County of stormwater detention facilities conditioned upon agreement being entered into by the County and a homeowners' association whereby the association assumes all liability for the maintenance and operation of the stormwater detention facilities; and

WHEREAS, The developer of Brush Mountain Estates, Phases I and II has agreed that said responsibility shall be assumed by the homeowners' association.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plats of Brush Mountain Estates, Phases I and II dated 10/10/97 and revised 1/15/98 located in the Mt. Tabor Magisterial District, including the stormwater detention facilities, the responsibility for maintenance of which the Virginia Department of Transportation is relieved by the Board of Supervisors, but, by agreement, the responsibility for such maintenance shall be assumed by the homeowners' association.

FURTHER, a note shall be added to the Final Plat and to each deed reading "Since all lots are served by individual wells and septic systems, Montgomery County and the Montgomery County Public Service Authority have no responsibility for providing public water or public sewer to this subdivision."

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

Supervisor Biggs asked that the County Attorney state for the record, the legality of this action. The County Attorney explained that if the developer meets all the subdivision requirements as determined by the subdivision agent (Planning Director) the Board of Supervisors must approve the final plats as an administrative process.

NEW BUSINESS

Land for Longshop/McCoy Fire and Rescue-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 Longshop/McCoy Volunteer Fire and Rescue Departments, to acquire land for a new building, hereby refers this request to the Real Estate Committee for review and recommendation.

Legislative Resolution-State Assistance to Localities for School Construction and Renovation

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

WHEREAS, The State currently provides some funding to localities for the operation of schools; and

WHEREAS, At this time localities are totally responsible for the cost of construction of new schools or their renovation.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia supports legislation that would change the basic funding responsibilities between the State and localities for school construction to include the following:

- Provide for the Commonwealth to reimburse any city or county for one-half of the capital costs of a school construction, enlargement or renovation project upon approved standards by the Commonwealth. (Reimburse direct facility costs.)
- Site acquisition, site development, and furnishings and fixtures would not be part of the reimbursement formula. (Land acquisition, site development, interior fit out would be the responsibility of the locality.)
- The Commonwealth would need to adopt facility standards for various size schools.
- Renovations would be reimbursed where a facility is being brought up to the state standards.
- The potential reimbursement for Montgomery County if all school projects were debt financed could range between \$5.5- 6 million per year over the end of the six years of the CIP.
- For debt financed projects, this program would have a positive impact on the County's net debt capacity.

- No revenue source is suggested as being attributed to this initiative at this time.

Janitorial Services for Courthouse, Headquarters and Blacksburg Library

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 agrees to create three positions to serve as custodians for the Courthouse complex.

Referral of Proposed Subdivision Amendment to Planning Commission for its Review and Recommendation

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

BE IT RESOLVED, That pursuant to Section 15.2-2253 of the 1950 Code of Virginia, as amended, the Board of Supervisors hereby refers a proposed ordinance entitled "An ordinance amending Chapter 8, Article IV, Entitled Subdivision, Sections 8-112, 8-131, 8-133, 8-134, 8-152, 8-171, 8-174 and 8-175 of the Montgomery County Code In Order to Comply With the State Enabling Legislation" to the Montgomery County Planning Commission for review and its recommendation to the Board of Supervisors prior to the Board's consideration of the subdivision ordinance change.

COUNTY ADMINISTRATOR'S REPORT

Solid Waste Collection Study Staff made a presentation on the cost effectiveness of greenboxes vs consolidated sites. The study shows that the cost effectiveness of consolidated sites can be increased by reducing hours of operation, thereby reducing labor costs.

As the process progresses, it was agreed that citizen input would be important on deciding where consolidated sites would be located.

Motion to Refer to Greenbox Committee

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

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the Solid Waste Collection Study is hereby referred to the Greenbox Committee for review and recommendation.

BOARD MEMBERS' REPORTS

Supervisor Biggs-School Board Budget Supervisor Biggs attended the School Board work sessions when their budget was discussed, and she pointed out that this was a very tedious job and

2. County Administrator

OUT OF EXECUTIVE SESSION

On a motion by Larry N. Rush, seconded by Ira D. Long 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 Larry N. Rush, seconded by Ira D. Long 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
Ira D. Long
Larry N. Rush
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 Ira D. Long, seconded by Joe C. Stewart and carried unanimously, the Board adjourned to Monday, February 23, 1998 at 7:00 p.m.

The meeting adjourned at 10:55 p.m.