

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 23RD 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
T. C. Powers, Jr. -Planning Director
Steve Phillips -Public Facilities Director
Ed Davis -Planner
Judy W. Kiser -Secretary

CALL TO ORDER AND PUBLIC HEARINGS

Chairman Gorman called the public hearings to order for the purpose of receiving comments on the following:

Rezoning Request

-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.

The Chairman announced that the above referenced request was withdrawn by the applicant, and the public hearing was canceled.

Rezoning Request

-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.

The current zoning (A-1) allows residential subdivisions by right, final plats have already been approved for Phase I and Phase II, and a preliminary plat has been approved for future phases, the subdivision ordinance does require that when land is subdivided in the A-1 District and the median lot size is two acres or less, then an application to rezone to a residential category must be made.

-The Planning Commission has recommended denial because: 1) Small lot residential development of the density proposed is not compatible with the Comprehensive Plan, and 2) If the property remains zone A-1 and the sliding scale concept of the draft Zoning Ordinance is adopted, then small lots (less than 2 ½ acres) could not be created in the future nor could existing small lots be further subdivided.

-Correspondence from Montgomery County Public Schools indicated that this development could fully utilize existing capacities at Blacksburg elementary schools in the area and drive another complete bus route. It is estimated that the development could produce slightly under 1 child per unit.

-Blacksburg Planning Commission's Environmental Quality and Land Use Committee wrote that development on mountain slopes should be a conservation pattern, either very large lots where natural forest cover is retained and subsequent clearing of individual properties is severely limited, or planned development where building sites are carefully chosen to minimize clearing and grading and large portions of the property are permanently preserved in their natural state, with greenway and trail connections.

The Committee has concerns that this development will result in negative environmental impacts for the entire community. They also expressed concerns that, if the entire parcel was rezoned to R-1, those lots in the future phases may be further subdivided into ½ acre lots.

-Mike Pinder, Bobby Scott, Nancy Scott and Margaret Smith spoke in opposition to the requested rezoning. Concerns included the fact that there would be no public water and sewer, potential contamination of the wells at the bottom of the mountain, and traffic hazards because of the volume of traffic on US Route 460 and poor site distance at the planned entrances to the subdivision. Ms. Smith suggested that the property be zoned to A-2.

There being no further speakers, the public hearing was closed.

Rezoning Request

-William and Lockie Greear request to rezone 126 acres; Tax Parcel 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.

-The Planning Commission finds this request compatible with the Comprehensive Plan and recommends approval, along with acceptance of the revised proffered Preliminary Master Plan: The applicant has proffered a limited number of entrances onto Riner Road and onto Fairview Church Road together with road improvements to each of these existing roads; a proffer that final plans will not be submitted for either residential or commercial projects unless they are within the then available capacity of the public water and sewer systems; proffer to form a Joint Planning and

Architectural Review Committee that would review and approve site plans, sign age plans, landscape plans, entrance and circulation plans and architectural elevations and materials.

There was also discussion on whether the proposed residential density (2 ½ dwelling units per acre) and the proposed commercial development (150,000 square feet) were compatible with the Rural Expansion designation for Riner in the Comprehensive Plan.

-The Planning Department staff states that although this project represents the type of planned development which should be encouraged over piecemeal development, the Planning Department cannot recommend approval of the entire project until it is determined how sewer service will be provided. They recommend approval only of whatever portion of the project can be served by the current expansion of the existing Riner sewage treatment plant. They also recommend that the Board of Supervisors consider a Comprehensive Plan amendment to update the plan for the Riner area. The amendment should establish a well-defined goal for development in the Riner area, both in terms of area and density. Coordination of the land use plan and plans for expansion of public sewer service essential. Community input is also needed. The basic question is “how big should Riner be?”.

-Montgomery County Public Schools wrote that the development has the potential for significant impact on school construction needs in the Auburn Attendance Strand. Phase I and II combined will drive an additional elementary school in that strand with impacts on middle and high schools following. Phase I impact alone will outstrip capacity in the new elementary school under construction. It is anticipated that Phase I would also drive two or three additional bus routes. The speed at which the development progresses will determine school impact.

-Correspondence from the Chief of the Riner Fire Department noted the only concern would be the need for hydrants, and response time from the fire department as the area continues to grow.

-Don Rainey of Rainey Engineering, spoke as agent for the applicant, and explained the proffered master plan for the development. Also speaking in support of the request were Hugo Veit and Morgan Caldwell.

-Jim Caruso, Mary North, Bob Mitchell, Susan Blackburn (who also read a letter from Roma Cox who was unable to attend the hearing), Charlie Bowles and Margaret Smith spoke in opposition to the request. Ms. Smith also provided a presentation on the impact of Auburn Village Development on water quality/supply and sewer service, and asked that copies of the presentation be forward to Board members.

-Mike Reilly, speaking on behalf of the Friends of Riner, commended Mr. Greear and Mr. Rainey on their willingness to work with the community. However, there are still concerns about: density of the housing due to lack of sewer, water, adequate roads, and lack of school facilities to handle increases, size of commercial space, safety of auto traffic and pedestrians, the fact that residential common open space is minimal. The Board of Supervisors was asked to use a long-term vision to protect the remaining rural areas and view sheds of Montgomery County.

-Supervisor Biggs said she would like to point out that the implication in the staff analysis that a new sewage treatment plant will be built in the Bethel area was made by PSA staff and not by the Public Service Authority.

There being no further speakers, the public hearing was closed.

Rezoning

-Paul Epperly request to rezone 2 acres; Tax Parcel 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.

-The Planning Commission recommends approval, with the following comment: Although there is a problem with access to this property, it will be less of a problem if the property is rezoned to residential use rather than leaving it zoned for business use.

-Staff analysis indicates that Mr. Epperly owns several parcels of land on Radford Road where he operates a small engine repair shop. All his land is currently zoned GB. Mr. Epperly would like to install a double-wide mobile home on the rear of the property, but this is not permitted use in the GB District. The property lies on the south side of Radford Road, behind Mr. Epperly's small engine shop and is immediately adjacent to Brookside Subdivision and Creekview Subdivision, both of which are zoned R-3. The Comprehensive Plan designates this area as an urban expansion area, and the Planning Department recommends approval.

-Mr. Epperly was present to speak on behalf of his request.

There being no further speakers, the public hearing was closed.

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.

-The Planning Commission found this request compatible with the Comprehensive Plan and recommends approval, as does the Planning Department staff.

-Tom Dunkenberger was present to speak on behalf of the request.

There being no further speakers, the public hearing was closed.

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

-The County Attorney explained that this change brings the Code into compliance with the policy that allows the Planning Commission and the Board of Supervisors to hold separate public hearings for the PUD-RES and PUD-COM application process.

There being no speakers either for or against the proposed amendment, the public hearing was closed, and the Board reconvened in the Board Chambers.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC ADDRESS SESSION

Charlie Bowles-Ice and Snow Storm Mr. Bowles suggested that the County form an emergency services staff to handle future natural disasters such as the recent ice and snow storm. He suggested that the County Administrator request a report from VDOT and American Electric Power Company and in turn call a radio station who will provide periodic updates to the citizens on emergency conditions.

Margaret Smith-Rezoning Decisions Ms. Smith asked if there is a compelling need for commercial development in Riner, since there is currently a new office building that is not fully occupied and an older house next to it zoned GB; can 10 to 20 acres of commercial shopping center be justified just because the post office needs to expand; and is there a compelling need for new houses when, for some time, there have been unsold lots and new houses in the Auburn Acres subdivision near the schools.

CONSENT AGENDA

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated February 23, 1998 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Ira D. Long	
Annette S. Perkins	
James D. Politis	
Larry N. Rush	

Joe C. Stewart
Joseph V. Gorman, Jr.

Approval of Minutes of January 26 and February 9, 1998

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Minutes of January 26 and February 9, 1998 were approved.

Schedule Public Hearing-Board of Supervisors-VPSA School Bond Financing

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

NOTICE OF PUBLIC HEARING ON PROPOSED
SCHOOL BOND FINANCING BY THE COUNTY
OF MONTGOMERY, VIRGINIA

BE IT RESOLVED, That the Montgomery County Board of Supervisors schedules a public hearing in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the issuance of general obligation school bonds (the "Bonds") of the County in the estimated maximum amount of \$7,300,000 to finance or refinance certain capital projects for school purposes. A resolution authorizing the issuance of the Bonds will be considered by the Board of Supervisors at its meeting on March 23, 1998.

Said public hearing, which may be continued or adjourned, will be held at 7:00 o'clock p.m. on Monday, March 23, 1998 before the Board of Supervisors at the Montgomery County Courthouse, One East Main Street, Christiansburg, Virginia.

Planning Recommendations-Schedule Public Hearings

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 hereby schedules a public hearing on Monday, March 23, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens comments on the following:

Rezoning

- **Retirement Management Corporation** request to rezone 1.2 acres; Tax Parcel No. 106-11-4 from A-1 (Agriculture) to CB (Community Business). Property is located at 3055 Riner Road in the Riner Magisterial District. The Comprehensive Plan designates this area as rural.

Rezoning

- **Edwin B. Fast (Agent: Draper-Aden Associates)** request to rezone 2.2 acres; Tax Parcel No. 51-A-25 from A-1 (Agriculture) to R-1 (Residential). Property is located on the north side of Prices Fork Road, approximately one-half mile west of the Blacksburg Town Limits, in the Prices Fork Magisterial District. The Comprehensive Plan designates this area as agricultural.

Rezoning

- **Montgomery County Planning Commission** request to rezone approximately 43 acres; Tax Parcels Nos. 83-A-52, 53, 54, 54A, 55, 56, 57, 58, 58A, 59, and 72; 83C1-6-1, 3, and 6; and 83C1-A-63, 64, 65, 67, 68, 69, 74, 75, 76, 77, 78, 79, 81, 82, and 83 from A-1 (Agriculture) and GB (General Business) to R-1 (Residential) Property is located in the western area of Shawsville, between Roanoke Road and the Norfolk Southern railroad tracks, in the Shawsville Magisterial District. The Comprehensive Plan designates this area as urban expansion.

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 ended June 30, 1998, for the function and in the amount as follows:

160	Planning and Inspections	\$7,800
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The source of the funds for the foregoing appropriation is as follows:

Revenue Accounts

130308	Building Permits	\$4,000
130312	Plumbing Permits	\$ 800
130323	Manufactured Housing Permits	<u>\$3,000</u>
		\$7,800

Said resolution appropriates monies to cover the cost of a part-time inspector and of moving the Planning and Inspections Department to the Annex.

Supplemental Appropriation-Department of Social Services

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 ended June 30, 1998, for the function and in the amount as follows:

410	Social Services	\$1,891
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account:

240102	Public Assistance	\$1,891
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Said resolution appropriates recovered costs for the Medicaid pre-screening monies for other public assistance services.

Purchase of Ambulance-Christiansburg Rescue Squad

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 award a purchase order to **Lifeline Emergency Vehicles of Virginia, Inc.** of Christiansburg, Virginia for the purchase of a 1998 Ford E-350 Ambulance for the Christiansburg Volunteer Rescue Squad, for an amount not to exceed \$96,521 including trade-in of a 1992 Ambulance. This purchase was competitively bid under Invitation for Bid #98-18.

Addition to Secondary System-Smithcreek II Subdivision-Wild Turkey Run

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

WHEREAS, The street described below is shown on a plat recorded in the Clerk’s Office of the Circuit Court of Montgomery County and currently serves at least three (3) families per mile; and

WHEREAS, The Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department’s Subdivision Street Requirements:

ADDITION:

Name of Subdivision

Smithcreek II

Name of Street

Length

Wild Turkey Run (extension)

From State Route 1333 (Wild Turkey Run)

0.09 Mi to Cul-de-sac

0.09 MI

Plat Recorded: June 13, 1997

Deed Book: 17; page 95

BE IT FURTHER RESOLVED, This Board guarantees a clear and unrestricted right-of-way of 50', and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

APPOINTMENT

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 Board of Supervisors of Montgomery County, Virginia, does hereby appoint **Archie Phelgar** to the Montgomery Regional Economic Development Commission as a non-elected Town of Blacksburg representative, effective February 23, 1998 and expiring February 22, 2001.

NEW BUSINESS

Public Facilities-Transfer from Contingencies

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 a transfer is hereby authorized as follows:

FROM:

550 General Contingencies (\$7,700)

TO:

150 Public Facilities \$7,700

Said resolution transfers funds from General Contingencies to Public Facilities to provide funds for the emergency replacement of the HVAC system at the Public Facilities building.

Commonwealth's Attorney-Supplemental Appropriation and Transfer from Contingencies

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 ended June 30, 1998, for the function and in the amount as follows:

330 Commonwealth Attorney \$547

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

Revenue Account

230100 Shared Expenses \$ 547

FURTHER, BE IT RESOLVED, that a transfer is thereby authorized as follows:

FROM:

550 General Contingencies (\$ 160)

TO:

330 Commonwealth Attorney

\$ 160

Said resolution appropriates monies from the state Compensation Board and the local match for the purchase of equipment.

Primary and Secondary Road Revenue Sharing Program-Elliston High School Site

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 Board hereby authorizes the Chairman to submit a Letter of Intent to participate in the County Primary and Secondary Road Fund Revenue Sharing for Fiscal Year 1998-99 for the maximum amount of \$500,000 to be matched dollar for dollar from funds of the State of Virginia for the purpose of making the necessary road improvements to Route 11 for safe access to the new Elliston Site High School.

FURTHER, BE IT RESOLVED that the \$500,000 in matching funds shall come from the Virginia Public School Authority bond proceeds.

Warm Hearth-Industrial Development Bonds

Supervisor Perkins announced that she is a member of the Warm Hearth Foundation and will abstain from voting to avoid a conflict of interest.

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

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia (“Authority”), has considered the application of NRV Nursing Center, Incorporated, Warm Hearth, Inc. and/or Founders Forest, Inc. (collectively, the “Borrowers”) requesting the issuance of the Authority’s revenue bonds in an amount not to exceed \$15,000,000 (“Bonds”) to assist in the financing of the Borrowers’ acquisition, construction and equipping of (1) an approximately 120-bed nursing and intensive assisted living facility consisting of approximately 64,000 square feet to be located within the Warm Hearth Village off Warm Hearth Drive on a street to be located south of Showalter Drive, and (2) approximately fifteen senior independent living

townhomes consisting of approximately 22, 339 square feet to be located on Woodside Terrace, within the Warm Hearth Village (collectively, the “Project”) in Montgomery County, Virginia, and has held a public hearing on February 17, 1998; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds; and

WHEREAS, The Authority issues its bonds on behalf of the County of Montgomery,

Virginia (“County”); the Project is to be located in Montgomery County, Virginia and the Board of Supervisors of the County of Montgomery, Virginia (“Board”) constitutes the highest elected governmental unit of the County; and

WHEREAS, The Authority has recommended that the Board approve the issuance of the Bonds; and

WHEREAS, A copy of the Authority’s resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Board.

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

1. The Board approves the issuance of the Bonds by the Authority for the benefit of the Borrowers, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (“Virginia Code”) to permit the Authority to assist in the financing of the Project.
2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Project or the Borrowers.
3. Pursuant to the limitations contained in Temporary Income Tax Regulations Section 5f.103-2(f)(1), this resolution shall remain in effect for a period of one year from the date of its adoption.
4. This resolution shall take effect immediately upon its adoption.

Adopted by the Board of Supervisors of the County of Montgomery, Virginia this 23rd day of February, 1998.

The vote was as follows:

AYE

Mary W. Biggs

Larry N. Rush

James D. Politis

Ira D. Long

Joe C. Stewart

Joseph V. Gorman, Jr.

ABSTAIN

Annette S. Perkins

COUNTY ADMINISTRATOR’S REPORT

Proposed FY 98-99 Budget Work Sessions

The County Administrator presented the proposed FY98-99 Budget, and Budget Work Sessions were scheduled as follows:

Wednesday, March 4, 1998 at 7:00 p.m.

-Presentation of the Budget

- School Funding
- Advertised Tax Rate

Monday, March 16, 1998 at 7:30 p.m.:

- Funding for Debt Service
- Compensation & Classification Issues
- Capital Improvements Funding
- Equipment Replacements
- Other Agencies
 - Regional Library
 - Human Services

Monday, March 30, 1998 at 7:30 p.m.

- Public Safety Funding
 - Sheriff
 - Fire and Rescue
- Other Issues
- Options for Final Funding

BOARD MEMBERS' REPORTS

Supervisor Perkins-New Supervisors' Orientation The County Administrator arranged for several meetings during the past week, including a session with VDOT's Resident Engineer, Commissioner of Revenue and Treasurer. Supervisor Perkins also attended her first meeting as the Board's representative to the Disaster Recovery Task Force.

Supervisor Politis-Orientation Meetings Supervisor Politis expressed his appreciation to the County Administrator for the orientation meetings arranged for new supervisors.

Division of District D Voting Precinct A request has been received from the Electoral Board to consider dividing District D voting precinct, which is currently located at the Christiansburg, into two voting precincts within District D. Supervisor Politis asked that a resolution be prepared for the Board's next agenda for the Board of Supervisors schedule a public hearing on this request.

The March 9th agenda will include a resolution scheduling a public hearing on this matter.

Supervisor Stewart-Road Request Supervisor Stewart had a telephone call from a citizen about the need for repairs on a road in his district. He will verify the name of the road and contact the County Administrator will details.

Supervisor Biggs-Planning Commission At the Planning Commission meeting on Wednesday (February 25) the proposed revisions to the zoning ordinance will be reviewed. Board members are invited to attend.

School Board Retreat was held at the Patrick Henry Hotel in Roanoke this past Friday and Saturday. Supervisor Biggs will provide a report on the goals that were set for the upcoming year to the Board at a future meeting.

Sheriff's Patrols on Route 114 Supervisor Biggs drove down Route 114 on Saturday night and observed the road being very well patrolled by the Sheriff's Department.

Supervisor Rush-CIP Committee The CIP Committee has met and made their recommendations. Plans for three years out are in increments of \$250,000, for a total of \$750,000.

Flowers on Angle's Property Supervisor Rush has spoken with the Extension Agent about planting flowers on the old Angle's property. The Extension Agent indicated that their master gardener could oversee the project if the County would till the dirt.

Supervisor Long-CIP Committee Supervisor Long is concerned that the CIP is under funded and suggested that at least an additional \$100,000 per year for three years, be added to the \$750,000 per year that is currently earmarked for the CIP.

In answer to Supervisor Biggs' question about whether school roofs are included in the CIP, the County Administrator explained that he has talked to the School Superintendent about this and school roofs will be addressed in the next bond issue. A priority list of school roof repairs will be requested from the Superintendent and forwarded to the Board.

The County Administrator pointed out that one re-occurring theme that keeps coming up is communications, with fire and rescue as well as law enforcement. He suggested that the Board may want to take a comprehensive look at the feasibility of a cooperative effort between the fire and rescue units and law enforcement, including Blacksburg and Christiansburg police, as well as Virginia Tech, to address communications issues.

The Chairman suggested that the permitting process being used for the cellular towers could include use of the towers for public communications.

Motion to Increase CIP Funds

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 Capital Improvement Program (CIP) funds will be increased by at least \$100,000 per year for the next three (3) years.

BE IT FURTHER RESOLVED, That staff is authorized and directed to investigate the feasibility of a cooperative effort between Fire and Rescue Units and Law Enforcement agencies in obtaining communications equipment with the objective of centralizing public safety and emergency services communication to provide program and cost effective services to the citizens of Montgomery County.

BOARD MEMBERS' REPORTS (cont'd)

Chairman Gorman-Snow Storms and Other Local Emergencies Judging from statements made during public address earlier in this meeting, there seems to be a misconception about what local government can do during an emergency, such as a snowstorm or icestorm. The local government has no power over restoring electricity, telephone lines, etc. In a situation where a

large portion of the community is affected, the Sheriff's Office is usually the first notified and the Sheriff's Department reacts appropriately.

Montgomery County/School Board Liaison Committee Discussions at the last liaison meeting included budgetary items. Other items discussed are listed under Executive Session.

Commerce Park At the last meeting, the committee is continuing to organize. Hopefully the committee will work out a proposal that can be brought before the participating localities.

INTO EXECUTIVE SESSION

On a motion by Annette S. Perkins, seconded by Ira D. Long and carried unanimously,

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

- Section 2.1-344(A)
- (7) Consultation with Legal Counsel and Briefings by Staff Members Pertaining to Actual or Probably Litigation or Other Specific Legal Matters Requiring the provision of Legal Advice by Counsel
 - 1. 765kV Transmission Line
 - 2. Commerce Park
 - 3. County Boundary Adjustment
 - 4. Joint Agreement with PSA
 - (3) Discussion or Consideration of the Condition, Acquisition or Use of Real Property for Public Purpose
 - 1. Real Estate Committee Report
 - 2. Blacksburg Middle School
 - (1) Discussion of the Appointment of Personnel
 - 1. Local Emergency Planning Committee (LEPC)

OUT OF 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 ends their Executive Session to return to Regular Session.

CERTIFICATION OF EXECUTIVE SESSION

On a motion by Ira D. Long, 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
- Ira D. Long
- Annette S. Perkins
- James D. Politis
- Larry N. Rush
- Joe C. Stewart
- Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

New River Valley Regional Commerce Park

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that while the Board of Supervisors agrees with the concept of the proposed New River Valley Regional Commerce Park and is generally supportive of its development, any monetary contribution which may be made by the Board of Supervisors in behalf of Montgomery County toward the park's development shall be contingent upon satisfactory resolution and understanding of the overall cost involved, the budget for its development and operation, and the revenues and

benefits which may accrue to Montgomery County.

The vote on the foregoing resolution was as follows:

AYE

Mary W. Biggs

Ira D. Long

Larry N. Rush

Annette S. Perkins

James D. Politis

Joseph V. Gorman, Jr.

NAY

Joe C. Stewart

ADJOURNMENT

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Board adjourned to Wednesday, March 4, 1998.

The meeting adjourned at 10:50 p.m.