

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 23RD DAY OF MARCH, 1998 AT 7:00 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT: Joseph V. Gorman, Jr. -Chairman
Ira D. Long -Supervisors
Mary W. Biggs
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
Bob Isner -Economic Development Director
Judy W. Kiser -Secretary

ABSENT: Larry N. Rush -Vice Chairman

CALL TO ORDER AND PUBLIC HEARINGS

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

General Obligation School Bonds

-In an estimated maximum amount of \$7, 300,000 to finance or refinance certain capital projects for school purposes:

There being no speakers either for or against the proposed general obligation school bonds, the public hearing was closed.

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.

There being no speakers either for or against the proposed amendment, the public hearing was closed.

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.

Rod Crowgey spoke as agent for the applicant. The property is currently being leased and used for a magazine subscription service and cleaning solution sales business, in violation of the county zoning ordinance. The landowner has applied to rezone the property to CB, which would allow the existing business use of the property to continue. No enforcement action is being taken, pending the outcome of the rezoning application.

The Planning Department recommends denial of this request, stating that commercial development in the Riner area should be focused in and around the existing business districts. This will help to reduce conflicts between commercial and residential uses, and will also promote a safer traffic pattern.

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

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.

The Planning Department has recommended approval of this request, stating that the request would bring this lot in line with the Residential R-1 zoning in the rest of Sterling Manor Subdivision. Although the property lies within an area designated for agriculture in the Comprehensive Plan, it is too small to be of economic value for agriculture, and it is surrounded by land already zoned residential.

There being no speakers either for or against the rezoning request, the public hearing was closed.

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.

The Planning Director summarized the background for this request. On August 13, 1997 the Board of Supervisors requested the Planning Commission to consider a rezoning of the Shawsville area in response to several petitions received from a resident of Shawsville. Specifically, residents had concerns about the historic qualities of their neighborhood since they perceived the current development trends (mobile home parks) as incompatible with the historic

structures. A community meeting held by the Planning Commission on November 25, 1997, confirmed these concerns and precipitated other concerns. Consequently, the Planning Commission decided at their meeting on December 17, 1997 to initiate a rezoning of the Western Shawsville area from agriculture/general business to residential.

-Nathan Samons and Jessica Wilson spoke in support of the request. Mr. Samons read the following letter into the record on behalf of Ann Gardner Gray:

“Post Office Box 56
Shawsville, VA 24162
March 23, 1998

Mr. Joseph Gorman, Chairman
Montgomery County Board of Supervisors
Christiansburg, VA 24073

Dear Mr. Gorman:

On behalf of many of the residents of Shawsville, we want to thank you and express our appreciation to the Planning Department for all the time and effort spent on our behalf to revise the Zoning Ordinance to upgrade the quality of our community.

We look forward to this as a major step in maintaining the attractiveness of the residential area, and enhancing its historic appeal.

Very sincerely yours,

(s) Ann Gardner Gray
(s) George A. Gray

cc: Mr. Richard Daub, Chairman, Planning Commission
Mr. Joe Powers, Planning Director
Mr. Jeff Scott, Zoning Administrator”

The following letter was asked to be written into the record:

“To: Montgomery County Board of Supervisors
From: Jack Hinshelwood

Dear Board Members:

thank you for your consideration of the proposed rezoning for west Shawsville. I have been living at 3708 Old Town Rd. Shawsville since 1989. I am writing to express my support for the rezoning as proposed by the Montgomery County Planning Commission and Staff. I believe that rezoning west Shawsville to an R-1 residential district represents sound planning, particularly since the vast majority of the existing housing in the area already fits this designation. I also feel that this zoning is consistent with the desires of a majority of the area residents who attended the Planning Commission hearing in Shawsville to discuss these issues. I would appreciate your

support for this proposed rezoning and encourage you to vote for the rezoning as proposed.
Thank you.

Sincerely,

(s) Jack Hinshelwood”

Mark McGee, Ray Epperly, Michael Epperly and Mary Epperly spoke in opposition to the request.

The following petition, with twelve signatures, was presented to the Board:

“Petition

Subject: Rezoning of Property in Western Shawsville,
specifically the area between the railroad and Old Town Road.

In as much as Montgomery County’s governing body is considering a large area rezoning of property in western Shawsville, and where as, all partys effected do not agree with this change and indeed most property owners in the area have not participated in a request to change the current zoning, and where as, some property owners have voiced strong objections to rezoning their property we believe zoning changes should not be pursued or approved.”

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

On consensus of the Board, the Delegations portion of the meeting was moved down on the Agenda to follow Public Address Session.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC ADDRESS SESSION

Sheriff’s Department Budget The following citizens addressed the Board of Supervisors regarding the Sheriff’s budget for FY 1998-99: Jack Hawkins, Waymon Pack, Joe Wade, Rick VanGorden, Penny Franklin, David VanDerFleet, Nannie Slate, Dean Dowdy and Mike Epperly. All the speakers spoke in support of a pay increase for the Sheriff’s deputies. Concern was also voiced about the high turnover in personnel due to the low pay, and the need for more deputies for road patrol.

DELEGATIONS

New River Valley Economic Development Alliance

Stuart Gilbert, Executive Director of the New River Valley Economic Development Alliance, made a presentation to the Board regarding economic development in the New River Valley, and the different roles for different economic development organizations.

ADD TO AGENDA-ADDENDUM

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously, the Addendum dated March 23, 1998 was added to the Executive Session as follows:

Section 2.1-344(A) (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. Utility Agreements with the Town of Blacksburg

The Board reconvened in the Board Chambers.

CONSENT AGENDA

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

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

Approval of Minutes of February 23 and March 4, 1998

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Minutes of February 23 and March 4, 1998 were approved.

Schedule Public Hearings-Board of Supervisors

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, April 27, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens comments on the following:

Amend County Code-General Provisions

-Amending Chapter 1, Section 1-6 of the Code of Montgomery County entitled general provisions in order to add civil cases to those cases assessed an additional two dollar fee for costs associated with the courthouse, jail, or court-related facilities.

Rezoning

-Patrick D. Cupp. (Agent: Anderson & Associates, Inc.) request to rezone 1.2 acres, Tax Parcel No. 436-A-10 from A-1 (Agriculture) to GB (General Business). Property is located South of Route 114 Intersection with Route 460 adjacent to K-Mart property in the Riner Magisterial District.

Rezoning

-Alleta O. Helms (Owner: Adele Ballard) request to rezone 3.4 acres, Tax Parcel No.436-A-11,12 from A-1 (Agriculture) to GB (General Business). Property is located at 2155 and 2175 North Franklin Street in the Riner Magisterial District.

Rezoning

-Hobert G. & Patsy Harmon (Agent: Rodney G. Crowgey) request to rezone approximately 23.5 acres, Tax Parcel No. 106-2-7B,7F from A-1 (Agriculture) to GB (General Business) with a Special Use Permit to allow mini-warehouses. Property is located South side of Flanagan Drive in the Riner Magisterial District.

Rezoning

-William K. Cole, Roy H. Cole & Perry D. Cole (Agent: Rodney G. Crowgey) request to rezone approximately 1 acre, Tax Parcel No. 131-A-97 from A-1 (Agriculture) to GB (General Business) located on the North side of State Route 615 seven miles South from Christiansburg.

Rezoning

-David A. Angle & Paula D. Relf request to rezone .4 acres, Tax Parcel Nos. 83 C1-A 33,34 from General Business (GB) to Multi-Family Residential (RM-1) with a Special Use Permit to allow apartments in existing structures. Property is located at 3951 Old Town Road (Route 753) and 206 Alleghany Springs Road (Route 637) in the Shawsville Magisterial District.

Rezoning & Special Use Permit

-James & Penny Long (Agent: Draper-Aden Associates) request to rezone 6.1052+ acres, Tax Parcel Nos. 90-1-BKB-11C & 12A, 90-3-16,17 & 21 from Agriculture (A-1) to Planned Mobile Home Residential (PMR) with a Special Use Permit to allow expansion of mobile home park. Property is located at the intersection of Radford Road and Rock Road.

Sheriff-Transfer from Grants

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 a transfer is hereby authorized, as follows:

FROM:

510 Grants

(\$ 18,456)

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TO:
311 Sheriff - County Support \$ 18,456

Said resolution transfers funding from Grants to the Sheriff's Department.

Fire and Rescue-Transfer

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 a transfer is hereby authorized, as follows:

FROM:
132 Insurance (\$ 2,700)

TO:
440 Fire and Rescue \$ 2,700

Said resolution transfers funding from Insurance to Fire and Rescue.

School Textbook Fund-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 School Textbook 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:

994 School Textbook Fund
656 School Textbooks \$77,000

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

Revenue Account:
2402-14 State Aid Textbooks \$77,000

Said resolution appropriates additional funds from the state Department of Education for textbooks.

Revenue Refunds-Supplemental Appropriations

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:

1 Revenue Refunds \$26,000

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

Revenue Account

1101-00 Current Property Tax \$26,000

Said resolution appropriates sufficient funds for the payment of revenue refunds for the remainder of the year.

Huckleberry Trail-Appropriation Reduction

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 reduction to the annual appropriation for the fiscal year ended June 30, 1998, for the function and in the amount as follows:

955 Huckleberry Trail (\$41,000)

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

Revenue Account

1901-54 Recovered Cost - Huckleberry Trail (\$41,000)

Said resolution reduces the appropriation for the Huckleberry Trail project.

Office on Youth-Recovered Costs

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:

170 Human Services \$3,350

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

Revenue Account

1901-40 Recovered Costs - Human Services \$3,350

Said resolution appropriates recovered costs for reimbursement of the cost of a survey.

Treasurer-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 ending June 30, 1998 for the function and in the amount as follows:

240 Treasurer-100% County \$7,972

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

Revenue Account:

4101-75 Insurance Recovery-Treasurer \$7,972

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

FROM:

550 Contingencies (\$ 251)

TO:

240 Treasurer - 100% County \$ 251

Said resolution transfers funds from Contingencies to replace real estate and personal property tax tickets.

Authorization to Submit Application-Virginia Juvenile Community Crime Control Act (VJCCCA)

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

WHEREAS, Montgomery County is eligible to receive funds through the Virginia Juvenile Community Crime Control Act (VJCCCA), to be used for establishing special, community-based programs for juveniles whose behaviors have brought them to the attention of the Court; and

WHEREAS, The Board of Supervisors authorizes submission of the VJCCCA application for funding, monies to be used for maintaining current programs developed through VJCCCA funding of prior years, including but not limited to, the Wilson Avenue School, community sentencing for youth and the EXCEL Mentoring program.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to submit a plan for use of the funds through the Virginia Juvenile Community Crime Control Act (VJCCCA).

Industrial Development Grant-Authorization to Submit Grant Proposal

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 authorizes the submission of a grant proposal to the Wal-Mart Foundation for an industrial development grant to support the Montgomery Regional Economic Development Commission's marketing efforts of the county's products.

FUSS/School Site Selection Committee

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

WHEREAS, The Montgomery County Board of Supervisors and the Montgomery County School Board have funded and supported the accomplishment of the Facility Use/Space Study (FUSS) of Montgomery County Schools in 1994, to determine the adequacy of the existing school facilities to support current and future educational programs; and

WHEREAS, The Board of Supervisors charged a joint committee to provide recommendations for Phase I implementation with alternatives to include Facility, Siting, Funding and Justification for the Tendered Recommendations; and

WHEREAS, The Montgomery County Board of Supervisors, with the cooperation of the Montgomery County School Board, established a Joint County/School Board Site Selection Study Committee, consisting of four members, with two representatives from the Board of Supervisors and two representatives from the Montgomery County School Board; and

WHEREAS, The School Site Selection Committee, having accomplished the mission for which it was established held its final meeting on December 17, 1997; and

WHEREAS, Meetings between the Chairman of the Board of Supervisors, Chairman of the School Board, County Administrator and School Superintendent have met as a liaison committee to discuss a wide range of cooperative efforts between the Board of Supervisors and the School Board.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, with the cooperation of the Montgomery County School Board, hereby establishes a Joint County/School Liaison Committee, consisting of four (4) members, to include the Chairman of the Board of Supervisors, the Chairman of the School Board, the County Administrator and the School Superintendent; to meet from time to time to discuss appropriate issues of mutual interest.

APPOINTMENTS

Montgomery Regional Solid Waste Authority

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 **Joseph V. Gorman, Jr.** is hereby reappointed to the Montgomery Regional Solid Waste Authority, effective July 1, 1998 and expiring June 30, 2002.

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia approves the reappointment of **Linden A. "Al" Bowman** to the Montgomery Regional Solid Waste Authority as the at-large representative, effective July 1, 1998 and expiring June 30, 2002.

Social Services Board

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 **Robert L. Dobson** is hereby reappointed to the Social Services Board, effective March 15, 1998 and expiring March 14, 2002.

Community Action, Inc. (New River Valley)

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 appoints **Meg Goepel** as Montgomery County's representative on the Community Action Board, effective March 17, 1998 and expiring June 30, 2000.

Authorization to Fill Position-Secretary C-Financial and Management Services

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

BE IT RESOLVED, By the Montgomery County Board of Supervisor that the County Administrator is authorized to fill the following position:

-Secretary C - Financial & Management Services

Official Resolution Authorizing the Refinancing of the VRS Early Retirement Obligation

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

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MONTGOMERY, VIRGINIA
AUTHORIZING THE ISSUANCE AND SALE
OF A TAXABLE GENERAL OBLIGATION REFUNDING NOTE

The County of Montgomery, Virginia (the "County"), is obligated to make certain annual payments (the "VRS Obligation") to or on behalf of the Montgomery County School Division to

pay to the Virginia Retirement System (the "VRS") the Montgomery County School Division's early retirement program costs as set forth in the Memorandum dated May 15, 1992 from the Director of the Virginia Retirement System to Division Superintendents and Financial Officers of Public School Boards. The Board of Supervisors proposes to issue a general obligation refunding note of the County to refinance the VRS Obligation at a lower rate of interest.

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

1. Authorization of Note and Use of Proceeds. The Board of Supervisors hereby determines that it is advisable to contract a debt and to issue and sell the County's general obligation refunding note (the "Note") in the maximum principal amount of \$2,330,468 pursuant to Article 5 of the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended (the "Act"). The issuance and sale of the Note is hereby authorized. The proceeds from the issuance and sale of the Note shall be used to refund the VRS Obligation and to pay the costs of issuing the Note.

2. Pledge of Full Faith and Credit. The full faith and credit of the County are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Note as the same become due and payable.. The Board of Supervisors shall levy an annual ad valorem tax upon all property in the County subject to local taxation sufficient to pay the principal of, premium, if any, and interest on the Note as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

3. Details and Sale of Note. The Note shall be issued and sold in such manner (including competitive or negotiated sale) as the County Administrator may determine and upon the terms established pursuant to this Resolution and upon such other terms as may be determined by subsequent resolution of the Board of Supervisors.

4. Form of Note. The Note shall be in substantially the form attached to this Resolution as Exhibit A, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution. There may be endorsed on the Note such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

5. Execution of Note. The Chairman and the Clerk of the Board of Supervisors of the County are authorized and directed to execute an appropriate negotiable Note and to affix the seal of the County thereto and to deliver the Note to the purchaser thereof upon payment of the purchase price. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the signatures of the Chairman and the Clerk are both by facsimile, the Note shall not be valid until signed at the foot thereof by the manual signature of the Note Registrar for the Note.

6. Judicial Validation. The County Attorney, such officers and agents of the County as he may designate, and McGuire, Woods, Battle & Boothe LLP, bond counsel, are authorized and directed to bring a proceeding to establish the validity of the Note pursuant to Article 6 of the Act.

7. Further Actions. The County Administrator, the County Attorney and the Chairman of the

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Board of Supervisors and such officers and agents of the County as any of them may designate are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Note and the matters set forth in this Resolution and all actions taken by such officers and agents in connection with the issuance and sale of the Note are ratified and confirmed.

8. Effective Date. This Resolution shall take effect immediately.

OLD BUSINESS

VPSA-General Obligation School Bonds-\$5.3 Million

On a motion by Mary W. Biggs, seconded by Joe C. Stewart and carried unanimously,

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,300,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF MONTGOMERY, VIRGINIA TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "Board") of the County of Montgomery, Virginia (the "County") has determined that it is necessary and expedient to borrow not to exceed \$5,300,000 and to issue its general obligation school bonds to finance certain capital projects for school purposes.

WHEREAS, the County has held a public hearing, after due publication of notice, in accordance with Section 15.2-2606, Code of Virginia of 1950, as amended (the "Virginia Code"), on March 23, 1998 on the issuance of school bonds in an amount not to exceed \$7,300,000.

WHEREAS the School Board of the County has requested by resolution the Board to authorize the issuance of the Bonds (as defined below) and has consented to the issuance of the Bonds.

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

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and to issue and sell general obligation school bonds of the County in an aggregate principal amount not to exceed \$5,300,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds. It is determined to be in the best interest of the County to accept the offer of the Virginia Public School Authority (the "VPSA") to purchase from the County, and to sell to the VPSA, the Bonds upon the terms established pursuant to this Resolution. The County Administrator and the Chairman of the Board, or either of them, and such officer or officers of the County as either of them may designate, are hereby authorized and directed to

enter into a Bond Sale Agreement with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form on file with the County Administrator, which form is hereby approved ("Bond Sale Agreement").

3. Details of the Bonds. The Bonds shall be issuable in fully registered form in denominations of \$5,000 and whole multiples thereof; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 1998"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), beginning July 15, 1998, (or such other date or dates as the County Administrator may approve) at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 (or such other date as the County Administrator may approve) in the years (each a "Principal Payment Date") and in the amounts established in accordance with paragraph 4 of this Resolution.

4. Principal Installments and Interest Rates. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed eight percent (8%) per annum. The County Administrator is further authorized and directed to accept the aggregate principal amount of the Bonds and the amounts of principal of the Bonds coming due on each Principal Payment Date ("Principal Installments") established by the VPSA, including any changes in the Interest Payment Dates, the Principal Payment Dates and the Principal Installments which may be requested by VPSA provided that such aggregate principal amount shall not exceed the maximum amount set forth in paragraph one and the final maturity of the Bonds shall not be later than 21 years from their date. The execution and delivery of the Bonds as described in paragraph 8 hereof shall conclusively evidence such Interest Payment Dates, Principal Payment Dates, interest rates, principal amount and Principal Installments as having been so accepted as authorized by this Resolution.

5. Form of the Bonds. For as long as the VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A. On twenty (20) days written notice from the VPSA, the County shall deliver, at its expense, Bonds in marketable form in denominations of \$5,000 and whole multiples thereof, as requested by the VPSA, in exchange for the temporary typewritten Bond.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal of, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption;

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds; and

(c) Crestar Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

7. Prepayment or Redemption. The Principal Installments of the Bonds held by the VPSA coming due on or before July 15, 2009, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature on or before July 15, 2009, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bonds held by the VPSA coming due after July 15, 2009, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature after July 15, 2009, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2009, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2009 to July 14, 2010, inclusive.....	102%
July 15, 2010 to July 14, 2011, inclusive.....	101
July 15, 2011 and thereafter.....	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption. The County Administrator is authorized to approve such other redemption provisions, including changes to the redemption dates set forth above, as may be set forth in the Bond Sale Agreement.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, and the premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of, and the premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate; Non-Arbitrage Certificate. The Chairman of the Board and the County Administrator and such officer or officers of the County as either may designate

are hereby authorized and directed to execute a Non-Arbitrage Certificate, if requested by bond counsel, and a Use of Proceeds Certificate setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (I) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Use of Proceeds Certificate and the County shall comply with the covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The County Administrator and the Chairman of the Board, or either of them, and such officer or officers of the County as either of them may designate, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager, and the depository substantially in the form on file with the County Administrator, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the County as either of them may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12.

13. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The County Administrator, the Chairman of the Board, and such other officers, employees and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator or the Chairman of the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Montgomery, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on March 23, 1998, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present.

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WITNESS MY HAND and the seal of the Board of Supervisors of the County of Montgomery, Virginia, this 23rd day of March, 1998.

(s) Jeffrey D. Johnson
Clerk, Board of Supervisors
of the County of Montgomery,
Virginia

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$5,300,000

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF MONTGOMERY
General Obligation School Bond
Series 1998

The COUNTY OF MONTGOMERY, VIRGINIA (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC SCHOOL AUTHORITY the principal amount of Five Million Three Hundred Thousand Dollars (\$5,300,000), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 1999 and annually on July 15 thereafter to and including July 15, 2018 (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year commencing on July 15, 1998 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, Crestar Bank, Richmond, Virginia, as bond registrar (the "Bond Registrar") shall make all payments of principal, premium, if any, and interest on this Bond, without presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624 of the Code of Virginia of 1950, as amended, requires, that there shall be levied and collected an

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annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 5.1, Title 15.2, Code of Virginia of 1950, as amended, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority at the office of the Bond Registrar on one or more occasions for two or more temporary bonds or definitive bonds in fully registered form in the denominations of \$5,000 and whole multiples thereof and, in any case, having an equal aggregate principal amount, having maturities of and the interest rates on the installments of principal of this bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2009, and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2009, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after July 15, 2009, and the definitive Bonds for which this Bond may be exchanged that mature after July 15, 2009, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2009, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2009 to July 14, 2010, inclusive.....	102%
July 15, 2010 to July 14, 2011, inclusive.....	101
July 15, 2011 and thereafter.....	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Montgomery, Virginia, has caused this Bond to be issued in the name of the County of Montgomery, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated March 23, 1998.

COUNTY OF MONTGOMERY, VIRGINIA

ATTEST:

(s)Jeffrey D. Johnson
Clerk, Board of Supervisors
of the County of Montgomery,
Virginia

By(s) Joseph V. Gorman, Jr.
Chairman, Board of Supervisors
of the County of Montgomery,
Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar) which requirements will include membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities and Exchange Act of 1934, as amended.

Registered Owner
(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)

Conveyance of Easement to Virginia Department of Transportation (VDOT) Falling Branch Industrial Park-Access Road

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

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia is developing Falling Branch Industrial Park to promote economic development in Montgomery

County, Virginia; and,

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia acquired all that certain Right of Way, recorded in Deed Book 983, Page 53, described as Right of Way Acquisition Area = 10.496 acres, together with a temporary construction easement, which shall expire upon the opening of the road for public travel, within the areas adjoining said "right of way acquisition area" and shown as Temporary Construction Easement Area = 2.122 Acres, and Temporary Construction Easement Area = 0.124 Acres, all shown more particularly on the plat entitled "Plat of Survey of Street Right-Of-Way, Tank Site, Permanent Access Easement and Temporary Construction Easement to be acquired from Joseph L. Conrad", prepared by John R. Christman, L.S., of Anderson & Associates, Inc., dated 29 May 1997 and last revised on 16 October 1997, Document No. 11569-002, Sheets 1 and 2, a copy of which is recorded in the Office of the Clerk of the Circuit Court of Montgomery County, Virginia in Plat Book 17, Page 230, and to which map reference is made for particular description of the property hereby conveyed; and

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia acquired all that certain tracts recorded in Deed Book 937, Page 269 as shown as Lots 1,2,3,5,6,7,8, and 9 as shown on the plat entitled "Map of Survey of Twin Oaks Estate, Phase II" prepared by E. Thomas Conley of Anderson & Associates, Inc., a copy of which is recorded in Plat Book 13, at Page 49 in the Clerk's Office of the Circuit Court of Montgomery County, Virginia, which eight lots contain in the aggregate 46.05 acres, less and except the parcel of land consisting of 21.648 acres that was acquired by the Board of Supervisors of Montgomery County, Virginia by order of condemnation and recorded in the aforesaid Clerk's Office in Deed Book 694 at Page 703; and

WHEREAS, It being the same property that was conveyed to the Board of Supervisors of Montgomery County, Virginia by deed from Paul A. Powell, Jr. and Donna J. Powell, husband and wife and Paul A. Powell Jr., Trustee under the Trust of Powell A. Powell, dated December 20, 1994, and recorded in the aforesaid Clerk's Office in Deed Book 862 at Page 818; and

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia acquired all that certain tract or parcel of land, recorded in Deed Book 937, Page 269, containing 141.813 acres; excepting and reserving therefrom a perpetual non-exclosure right of way and easement, 75 feet wide, located immediately interior to the northerly line of said parcel for ingress, egress and the installation, repair and maintenance of public and private utilities as show on the "Plat of Survey of 141.813 Acre Parcel for Board of Supervisors of Montgomery County, Virginia," prepared by John Christman, L.S., of Anderson & Associates, Inc., dated 3 August 1993, Document No. 10397002, a copy of which map is attached hereto and to which map reference is made for a more particular description of the property hereby conveyed and right of way easement hereby reserved; and

WHEREAS, It being the same property that was conveyed to the Board of Supervisors of Montgomery County, Virginia, by deed from Dale D. Teel and Freda W. Teel, husband and wife, dated August 16, 1993 and recorded in the aforesaid Clerk's Office in Deed Book 801 at Page 819; and

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia

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acquired said parcels for the purpose of developing Falling Branch Industrial Park and an Industrial Access Road to serve the industrial park; and

WHEREAS, The Industrial Development Authority of Montgomery County, Virginia in Deed Book 937, Page 269, covenanted and agreed that the Board of Supervisors of Montgomery County, Virginia has the right to approve the terms and conditions prior to any sale, lease, transfer, conveyance or encumber of any of the above described property conveyed by the Industrial Development Authority of Montgomery County, Virginia; and

WHEREAS, The Virginia Department of Transportation (VDOT) has allocated \$450,000 (\$300,000 unmatched and \$150,000 matched), with a \$150,000 local contribution, of the 1996-1997 Fiscal Year Industrial, Airport, and Rail Access Fund in order to provide adequate access to Falling Branch Industrial Park, located in Montgomery County, Virginia, Project Number 1416-060-209, M501; and

WHEREAS, The Virginia Department of Transportation (VDOT) requests the Industrial Development Authority of Montgomery County, Virginia convey the Right-Of-Way of said properties to VDOT for the purpose of constructing the Industrial Access Road for Falling Branch Industrial Park.

NOW THEREFORE BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia authorizes the Industrial Development Authority of Montgomery County, Virginia, to convey to the Virginia Department of Transportation all that certain 10.496 acres of Right of Way, recorded in Deed Book 983, Page 53, described as Right of Way Acquisition Area = 10.496 acres, together with a temporary construction easement, which shall expire upon the opening of the road for public travel, within the areas adjoining said "right of way acquisition area" and shown as Temporary Construction Easement Area = 2.122 Acres, and Temporary Construction Easement Area = 0.124 Acres, all shown more particularly on the plat entitled "Plat of Survey of Street Right-Of-Way, Tank Site, Permanent Access Easement and Temporary Construction Easement to be acquired from Joseph L. Conrad", prepared by John R. Christman, L.S., of Anderson & Associates, Inc., dated 29 May 1997 and last revised on 16 October 1997, Document No. 11569-002, Sheets 1 and 2, a copy of which is recorded in the Office of the Clerk of the Circuit Court of Montgomery County, Virginia in Plat Book 17, Page 230, and to which map reference is made for particular description of the property hereby conveyed; and

BE IT FURTHER RESOLVED, That the Board of Supervisors of Montgomery County, Virginia authorizes the Industrial Development Authority of Montgomery County, Virginia, to convey to the Virginia Department of Transportation all that certain 1.103 acres of Right of Way, recorded Deed Book 937, Page 269, described as Parcel "D" = 1.103 Acres, as shown on the plat entitled "Plat Of Survey Of Street Right-Of-Way To Be Dedicated To Virginia Department of Transportation By Industrial Development Authority of Montgomery County", prepared by John R. Christman, L.S., of Anderson & Associates, Inc., dated 11 March 1998, Document No. 14959-02, a copy of which is recorded in the Office of the Clerk of the Circuit Court of Montgomery County, Virginia in Plat Book __, Page __, and to which map reference is made for particular description of the property hereby conveyed; and

BE IT FURTHER RESOLVED, That the Board of Supervisors of Montgomery County,

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Virginia authorizes the Industrial Development Authority of Montgomery County, Virginia, to convey to the Virginia Department of Transportation all that certain 2.114 acres of Right of Way, recorded Deed Book 937, Page 269, described as parcel "E" = 2.114 Acres, as shown on the plat entitled "Plat Of Survey Of Street Right-Of-Way To Be Dedicated To Virginia Department of Transportation By Industrial Development Authority of Montgomery County", prepared by John R. Christman, L.S., of Anderson & Associates, Inc., dated 11 March 1998, Document No. 14959-03, a copy of which is recorded in the Office of the Clerk of the Circuit Court of Montgomery County, Virginia in Plat Book __, Page __, and to which map reference is made for particular description of the property hereby conveyed; and

BE IT FURTHER RESOLVED, That Jeffery D. Johnson, County Administrator, is hereby authorized and directed to execute and deliver the necessary documents on behalf of the Board to the Virginia Department of Transportation.

School Roof Replacement

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 Roof Replacement Schedule for the 1998 Program as submitted by the Superintendent of Montgomery County Public Schools, is hereby approved.

BE IT FURTHER RESOLVED, That it is the intent of the Board of Supervisors that Virginia Public School Authority (VPSA) funding support the cost of these replacements.

BOARD MEMBERS' REPORTS

Supervisor Stewart-Boners Run Road Supervisor Stewart said there is a tree stump in the creek bank and when water hits the stump, it washes into the road.

Elliott Creek Road There is a low water bridge on a private road that comes into Elliott Creek Road. The road comes in at an angle and turns water into the road.

Route 639 and Route 722 (off Elliott Creek Road) Supervisor Stewart reported that a Mr. Webb asked him if the Department of Transportation build walk bridges.

Road into Old Mill Estates The water on the road going into Old Mill Estates has nowhere to go and runs onto the Hanson property.

Roanoke Street in Elliston Supervisor Stewart also reported that the drain pipes on the road up to his driveway are so deep there is no where for the water to go.

The County Administrator will contact VDOT's Resident Engineer about the concerns related to the aforementioned roads.

Supervisor Biggs-Planning Commission Supervisor Biggs reported that the Planning Commission

will meet with consultants concerning the County's ordinance revisions on Thursday at 7:00 p.m.

School Board Supervisor Biggs said copies of the agenda and minutes from the School Board meetings are being provided, if the copies were not being provided then she would look into having them provided. She asked if the School Board is aware that renovations for the Auburn Middle School will begin this summer. The Chairman pointed out that this is a decision of the School Board, and they are hopeful this work will be completed by the Fall or mid-year of 1999.

Meadow Creek Road A citizen has contacted Supervisor Biggs about his concerns for the children at Bethel Elementary who will have to travel over Meadow Creek Road to Riner Elementary after Bethel Elementary has been closed. There are three one-lane bridges on the road, often traversed by tractor trailers. Guard rails are badly needed approximately 2/10 mile from Children going toward Bethel.

The County Administrator will communicate with the School Superintendent about the planned bus routes in light of the fact that if this road is traveled more frequently by school buses and the road needs improvement relating to clear and substantial safety issues, the Board of Supervisors may request secondary road improvements to Meadow Creek Road through the Six-Year Secondary Highway Improvement Plan. In the meantime, the Transportation Safety Committee will be notified of the concerns related by Supervisor Biggs concerning Meadow Creek Road.

Supervisor Stewart-George's Run Road Supervisor Stewart reported that someone has been dumping trash on George's Run Road. The County Administrator will instruct staff to look into this and see that the trash is disposed of.

Supervisor Perkins-Economic Development Commission Supervisor Perkins provided written notes of the Economic Development Commission meeting held on February 26, 1998.

Supervisor Politis-Route 615 Supervisor Politis reported on several phone calls he has received concerning the bridge on Route 615 near the post office, which floods frequently. Road repairs are also needed on the bridge on Route 617 and Routes 602 and 601 where there were recent mud slides.

The County Administrator will report these roads to the Department of Transportation along with the roads mentioned in Supervisor Stewart's report.

FY 1998-99 Budget Supervisor Politis was contacted by a citizen in his district who said she was in support of the tax increase, and suggested that some of these funds be spent for maintenance on the schools. He has heard other comments concerning the proposed budget, both in support and opposition.

Chairman Gorman-Elliston School Site The School Board is preparing to go out for bids for site development would like to present it to the Board of Supervisors on May 11th.

Virginia Tech Airport Committee The Chairman and County Administrator have been invited to attend a meeting of the Virginia Tech Airport Committee on March 30th. Montgomery County does not have a representative on this committee.

VDoT Preallocation Hearing The Chairman and the County Administrator will attend the Department of Transportation's Preallocation Hearing on March 31. The resolution adopted by the Board of Supervisors will be presented at the hearing.

INTO EXECUTIVE SESSION

On a motion by Joe C. Stewart, seconded by Mary W. Biggs 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) (7) Consultation with Legal Counsel Pertaining to Actual or Probable Litigation, or Other Specific Legal Matters Requiring the Provision of Legal Advice by Counsel
1. 765kV Transmission Line
 2. Utility Agreements with the Town of Blacksburg
- (3) Discussion or Consideration of the Condition, Acquisition or Use of Real Property for Public Purpose
1. Blacksburg Middle School
 2. Christiansburg Middle School
 3. Mid-County Landfill
 4. Shawsville Area Library
- (1) Discussion of the Appointment of Personnel
1. Local Emergency Planning Committee (LEPC)

OUT OF EXECUTIVE SESSION

On a motion by Mary W. Biggs, seconded by Joe C. Stewart 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 Mary W. Biggs 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
Joe C. Stewart
Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

Larry N. Rush

ABSENT DURING MEETING

Larry N. Rush

Community Forum

Supervisor Politis distributed information on a Community Forum concerning the Christiansburg Downtown Development Partnership to be held on April 4, 1998 at the St. Paul United Methodist Church Annex beginning at 8:00 a.m.

ADJOURNMENT

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Tuesday, March 24, 1998 at 7:00 p.m. at the Blacksburg Middle School.

The meeting adjourned at 10:50 p.m.