

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 27<sup>TH</sup> DAY OF APRIL, 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
	Ira D. Long	-Supervisors
	Joe C. Stewart	
	Mary W. Biggs	
	Annette S. Perkins	
	James D. Politis	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Judy W. Kiser	-Administrative Assistant
	Vickie L. Swinney	-Secretary

### **CALL TO ORDER AND PUBLIC HEARINGS**

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

#### Amendment to Montgomery County Subdivision Ordinance

**-Sections 8-112, 8-131, 8-133, 8-134, 8-138, 8-154, 8-171, 8-174, and 8 -175 in order to bring the Montgomery County Subdivision Ordinance into compliance with state law.**

There being no speakers either for or against the proposed amendment to Montgomery County Subdivision Ordinance, the public hearing was closed.

#### Amend County Code-General Provisions

**-Amending Chapter 1, Section 1-6** of the Montgomery County Code 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.

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

#### 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.

Tom Roberts, Anderson & Associates, Inc., spoke as the agent for the applicant. Mr. Roberts stated that portions of the property lies within the Town of Christiansburg and within the County. Mr. Roberts pointed out to the Board which portion lies within the County. He also stated that the Town of Christiansburg recommends approval of rezoning the property which lies within the County since it is compatible with their plan.

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

-**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.

This property is adjacent to the property being requested for rezoning by Patrick D. Cupp.

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

#### 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 on the south side of Flanagan Drive in the Riner Magisterial District.

The Chairman announced that the above referenced request was withdrawn by the applicant, and the public hearing was canceled.

#### 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.

Rodney Crowgey spoke as agent for the applicants. Mr. Crowgey explained that the rezoning would enable the property to be the site for the new post office in Pilot. The Board asked if the property was in the flood zone and Mr. Crowgey assured the Board that the property is out of the flood zone. Mr. Crowgey also stated that the property requesting to be rezoned joins the property that the current post office is now located on. Approving this request would be a positive outcome to the community since the new post office would only be moved down the street.

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

#### 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.

David Angle was present to speak on behalf of the request.

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

#### 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.

Randall Hancock, Draper-Aden Associates, spoke as agent for the applicants. Mr. Hancock gave a brief explanation of the request. He stated the applicants would like to expand the existing mobile home park. The property requesting to be rezoned lies next to the existing mobile home park.

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

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

**PUBLIC ADDRESS SESSION**

Mark Stewart-Edwin M. Stewart Rezoning Request Mr. Stewart spoke in favor of the rezoning request. He stated he was willing to work with the Planning Commission and with the City of Radford Planning Commission on getting this request approved. Mr. Stewart also asked the Board to consider this request as a lone request and not combine it with other requests in this area.

Rodney Crowgey-Retirement Management Corporation Mr. Crowgey expressed his concerns of the procedure of scheduling rezoning requests within the County and the Planning Commission. When a request is added to the Board of Supervisors or Planning Commission agenda at the last moment, the applicant should be notified in a timely manner. Mr. Crowgey appreciates the Board of Supervisors consideration.

Charlie Bowles - Retirement Management Corporation Mr. Bowles expressed his opposition to the rezoning request of Retirement Management Corporation. He opposes spot zoning in the Riner area and stated that all new businesses should consider moving into the business section in Riner or Christiansburg. Mr. Bowles believes that the current tenants at 3055 Riner Road are in violation of the County's ordinance. Mr. Bowles also expressed his opposition to Edwin M. Stewart's request to rezone his property located at 2875 and 2827 Barn Road.

Tom Roberts-Edwin M. Stewart Rezoning Request Mr. Roberts spoke in support of the Stewart rezoning request and supports the comments made by Mark Stewart.

**ADDENDUM**

The Retirement Management Corporation rezoning request was prepared as an addendum to the agenda for the Board's consideration. The addendum was not added to the agenda at the request of Rodney Crowgey, agent for the applicant. The Board of Supervisors has deferred the request until their next meeting, to give the applicant proper notification that their request will be on the agenda.

**CONSENT AGENDA**

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated April 27, 1998 was approved. The vote was as follows:

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

**Approval of Minutes of March 24, March 30, and April 7, 1998**

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Minutes of March 24, March 30, and April 7, 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, The Board of Supervisors of Montgomery County hereby schedules

a public hearing on Tuesday, May 26, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens comments on the following:

Special Use Permit

**-Roy Phillip Harman & SSC, LLC (Agent: Kendall O. Clay)** request for a Special Use Permit on 3 acres; Tax Parcel No. 67-A-196 to allow operation of an asphalt plant in connection with Stone Quarry. Property is located at the ACCO quarry on State Route 643 and State Route 642 (Jennelle Road).

Rezoning

**-James P. & Kathryne L. Smith** request to rezone 4.01 acres; Tax Parcel No. 119-A-33A from A-1 (Agriculture) to GB (General Business). Property is located at 1803 Fairview Church Road in the Riner Magisterial District.

Rezoning

**-James & Alice Noonkester** request to rezone approximately 1.16 acres, Tax Parcel No. 51(6) 6G, 6F from A-1 (Agriculture) to GB (General Business). Property is located at 4370 and 4384 Prices Fork Road in the Prices Fork Magisterial District.

**School Operating 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 Operating 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:

991 School Operating Fund

61000	Instruction	\$184,476
62000	Administration/Attendance & Health	\$ 51,000
	Total	\$235,476

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

Revenue Account:

2402-34	Benefits - Other State Agencies	\$ 44,806
2402-72	Alternative Ed. Regional Program	\$139,670
2402-63	School/Community Health	\$ 51,000
	Total	\$235,476

Said resolution appropriates additional funds from the State Department of Education for reimbursement of expenses associated with the regional alternative education project at the Wilson Avenue facility, funds received as state grant reimbursement for science and technology workshops, and funds received from state grant for School/Community Health Services to be used for program planning and to hire a health coordinator.

**Social Services-Appropriation Adjustment**

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

410	Social Services	(\$100,000)
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programs that will address their needs. Supervision of the total program will be under Virginia Cooperative Extension.

## **Personnel**

Any employees payrolled by the County and assigned to Virginia Cooperative Extension will be employed in accordance with the local government's established hiring procedures. Virginia Cooperative Extension is not liable for actions of County employees and County is not liable for actions of Virginia Cooperative Extension employees.

Virginia Cooperative Extension agents are faculty of the University and subject to the guidelines of the Faculty Handbook. Virginia Cooperative Extension employees who are members of the State of Virginia Personnel Classification System are subject to system guidelines, including salaries and employee benefits. Wage employees payrolled by Virginia Cooperative Extension are subject to the applicable State and University guidelines.

The title of Extension Agent is reserved for the employees of Virginia Cooperative Extension. No county employee shall assume the title of Extension Agent.

## **Financial Arrangements**

### General Information

Virginia Cooperative Extension will payroll all Extension state employees and will bill Montgomery County for the locality's portion of salaries and benefits on a quarterly basis. Local governments will not provide any direct payments to these employees. Employees payrolled by the County and assigned to the Extension Office will receive 100 percent of their salaries/wages from the County.

### **Funding for FY 1998-99 Services**

The Montgomery County Board of Supervisors has adopted the funding levels for FY 1998-99 as follows:

1. The County will provide funding in the amount of \$8,000 (\$7,300 for salary related costs and \$700 for travel and supplies) for a 4-H technician position. These funds should be used for this position only and surplus funds revert to the General Fund, if unused .
2. \$2,510 (excluding \$700 for 4-H technician) is provided for required operating costs such as telephone and supplies.
3. The remaining funds of \$53,591 should be apportioned based on the following priorities for services:
  - a. 4-H
  - b. Dairy Science
  - c. Crop and Soil Science
  - d. Farm Management
  - e. Family and Consumer Science
  - f. Master Gardner

If funds provided are insufficient to cover all positions, then services of the last priority should be reduced.

## **Office Space**



Planned Units	Montgomery	Floyd	Pulaski	Giles	Radford	Others
Units Served						
% Complete						
Comments:						

Farm Management Unit of Service: Describe the Unit of Service						
Planned Units	Montgomery	Floyd	Pulaski	Giles	Radford	Others
Units Served						
% Complete						
Comments:						

Family and Consumer Science Unit of Service: Describe the Unit of Service						
Planned Units	Montgomery	Floyd	Pulaski	Giles	Radford	Others
Units Served						
% Complete						
Comments:						

Master Gardener Unit of Service: Describe the Unit of Service						
Planned Units	Montgomery	Floyd	Pulaski	Giles	Radford	Others
Units Served						
% Complete						
Comments:						

**Elliston Pedestrian Bridge**

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 agreement between the County of Montgomery and Norfolk Southern Railroad whereby Montgomery County assumes the responsibility for maintenance of the Elliston Bridge.

**Route 11 (EBL)  
Norfolk and Western Railway Company Overpass  
Milepost N-276-11  
Montgomery County**

THIS SUPPLEMENTAL AGREEMENT, made and executed in triplicate as of the 27<sup>th</sup> day of April, 1998 between the COMMONWEALTH OF VIRGINIA, acting by and through the Chief Engineer of the Department of Transportation, herein after called "State", and the NORFOLK AND WESTERN RAILWAY COMPANY, a Virginia corporation, hereinafter called "Railway", and the COUNTY OF MONTGOMERY, a Political Subdivision of the Commonwealth of Virginia, hereinafter called "County".

WITNESSETH THAT:

WHEREAS, State and Railway entered into an agreement dated September 25, 1995 for the construction of a new overpass to carry Route 11 (EBL) over Railway's main line right of way and tracks located in Montgomery County, Elliston, Virginia at Railway's Milepost N-276.46, said work to include removal of the existing bridge carrying Route 11 (EBL) over and across Railway's track at Milepost N-276.11; and

WHEREAS, County proposes to accept ownership of the existing bridge from State and to operate and maintain the structure as a pedestrian bridge, and appurtenances to cross Railway's right of way and track at Railway Milepost N-276.11; and

WHEREAS, It is desired by the parties hereto to transfer ownership of the structure, to provide for certain improvement work over Railway's right of way and track, and to determine and agree upon the manner of doing said work; the portion of it to be done by each of said parties and the mode and time of payment therefor.

NOW THEREFORE, For and in consideration of the mutual covenants hereinafter stipulated to be kept and performed, it is agreed between the parties hereto as follows:

- § 1. State will delete all of the work dismantling, removing and disposing of the existing bridge carrying Route 11 (EBL) over and across Railway's track, at Milepost N-276.11 as specified in agreement dated September 15, 1995, mentioned above.
- § 2. State will contribute \$30,000.00 to County toward improvements and maintenance of the existing bridge to carry pedestrian traffic over and across Railway's track and Milepost N-276-11.
- § 3. County will erect a pedestrian fence across each side of the existing bridge over and across Railway's track at Milepost N-276-11, in accordance with plans approved by Railway.
- § 4. Railway will furnish, at County expense, such flagman and watchman service as may be necessary in connection with work performed by County's forces, agents or contractors.
- § 5. Railway, to the extent that its present right, title and interests permits or enables it to do so and without warranty, hereby grants to County an easement to operate and maintain said overhead bridge across the right of way and over the tracks of Railway at approximate Railway Milepost N-276.11, however, that;
  - A. Said easement hereby granted is limited to the use for pedestrian purposes of space required for said bridge and for columns, foundations and other parts of the bridge, and is limited vertically by a horizontal surface 20 feet above the roadway surface of said bridge, together with the use of reasonable additional space for construction and for access to the pedestrian facilities for maintenance purposes; it being understood that the easement shall not restrict the Railway from utilizing the airspace under said bridge for railroad operations and for wire lines or other facilities which will not encroach on the reasonable requirement for maintaining the pedestrian facilities. All other rights are reserved unto the Railway.
  - B. County, in its maintenance of the pedestrian bridge facilities, agrees to obtain written permission from the Railway before undertaking any work which may interfere with or be a real potential hazard to passage of trains or other railroad operations and agrees to bear all expense for watchmen and flagging services which the Railway may deem necessary because of its operations.

- § 6. Upon completion of the Project, the bridge carrying pedestrian traffic over Railway's main line right of way and track at Milepost N-276.11, and appurtenances, shall be maintained by County.
- § 7. This Agreement when properly executed shall be binding upon the parties hereto and their respective successors and assigns.

IN TESTIMONY WHEREOF, The parties hereto have caused this Agreement to be executed in triplicate, each by its duly authorized officers and the corporate seal of the Norfolk and Western Railway Company affixed hereto, and the County of Montgomery affixed hereto, all as of the day, month and year hereinabove first written.

COMMONWEALTH OF VIRGINIA  
Department of Transportation

By \_\_\_\_\_  
Chief Engineer

ATTEST

\_\_\_\_\_

NORFOLK AND WESTERN RAILWAY  
COMPANY

By \_\_\_\_\_  
Vice President

(CORPORATE SEAL)  
ATTEST:

\_\_\_\_\_  
Assistant Secretary

COUNTY OF MONTGOMERY

By \_\_\_\_\_

(CORPORATE SEAL)  
ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney

**Montgomery County's Personnel Manual**

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 Section 5-2-Annual Leave of the Montgomery County Personnel Manual be amended to include:

**INSERT:**

The County may accept a maximum of 96 annual leave hours accrued by the employee provided that said employee has not received compensation and upon approval by the County Administrator. An employee approved for such transfer will not be paid for these days upon separation from service with the County. An employee approved for such transfer shall be required to expend all annual leave hours within 12 months of the date of hire. Employees requesting such transfer must provide with their request written confirmation of the time accrued through their previous, immediate position and proof they have not been compensated for the

number of hours requested for transfer.

FURTHER, BE IT RESOLVED, That Section 5-3-Sick Leave be amended as follows:

**DELETE:**

~~The County may accept a portion of or all sick leave accumulated to the credit of a person who is transferred from another Virginia jurisdiction to employment in County service upon approval of the County Administrator.~~

**INSERT:**

The County may accept all or a portion of sick leave hours accrued by the employee provided that said employee has not received compensation and upon approval by the County Administrator. An employee approved for such transfer will not be paid for these days upon separation from service with the County. Employees requesting such transfer must provide with their request written confirmation of the time accrued through their previous, immediate position and proof they have not been compensated for the number of hours requested for transfer.

**Recognition-United States Army-223rd Anniversary**

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

WHEREAS, The United States Army was established by the First Continental Congress on the 14<sup>th</sup> day of June, 1775; and

WHEREAS, The Congress directed that "...two companies of expert riflemen be immediately raised...in Virginia...as soon as completed, march and join the army near Boston, to be there employed as light infantry..." to assist our brethren in expelling the tyranny of the British Army; and

WHEREAS, The United States Army remains the primary military service to project and establish land power in the defense of our citizens' freedoms and our nation's security interests; and

WHEREAS, Many citizens of western and southwestern Virginia have served their nation and given the ultimate sacrifice in defense of our freedoms, as members of the United States Army; and

WHEREAS, It is proper to recognize the United States Army annually on its birthday, and thank those who have served and those who are presently serving.

NOW THEREFORE, BE IT RESOLVED , That the Board of Supervisors of Montgomery County, Virginia, does recognize the United States Army on the 223<sup>rd</sup> anniversary of its establishment, and expresses its gratitude to those who have served and those who are now serving to protect our nation and its freedoms;

AND DECLARES, That the period from June 7 through June 14, 1998, be known as United States Army week, and that the weekend of June 13 and 14, 1998 be set aside as Army Birthday Weekend.

BE IT FURTHER RESOLVED, That the Montgomery County Board of Supervisors invites all of the citizens of Montgomery County, Virginia, and of the surrounding areas to join the Virginia Army National Guard, the Army Reserve and the components of the Active Army, along with the Thomas J. 'Stonewall' Jackson Chapter of the Association of the United States Army in their display and show of today's Army at the National Guard Armory and vicinity on Reserve Avenue, Roanoke, during the 13<sup>th</sup> and 14<sup>th</sup> of June 1998.

**OLD BUSINESS**

**An Ordinance Abolishing the D-91 Voting Precinct and Creating the New D-1 Voting Precinct and the New D-5 Voting Precinct Polling Place**

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

**ORDINANCE 1998-6**

**AN ORDINANCE ABOLISHING THE D-91-1 VOTING PRECINCT AND CREATING THE NEW D-1 VOTING PRECINCT WITH THE POLLING PLACE LOCATED AT THE CHRISTIANSBURG ARMORY AND THE NEW D-5 VOTING PRECINCT WITH THE POLLING PLACE LOCATED AT THE MONTGOMERY-FLOYD REGIONAL LIBRARY CHRISTIANSBURG BRANCH**

WHEREAS, the Montgomery County Electoral Board has recommended to the Board of Supervisors that voting precinct D-91-1 be abolished by splitting the precinct into two new voting precincts D-1 and D-5 with the respective polling places being the Christiansburg Armory and the Montgomery-Floyd Regional Library, Christiansburg Branch; and

WHEREAS, pursuant to Section 24.2-307 of the 1950 Code of Virginia, as amended, the Board of Supervisors may establish by ordinance as many precincts as it deems necessary along with one polling place for each precinct;

BE IT ORDAINED, by the Board of Supervisors of Montgomery County, Virginia, that voting precinct D-91-1 be abolished and that voting precinct's D-1 and D-5 be created as follows:

**VOTING PRECINCT D-91-1**

~~Beginning at the intersection of Crab Creek and North Franklin Street; thence in a southerly direction with North Franklin Street, crossing Main Street, proceeding with South Franklin Street which becomes Pilot Road (State Route 615) upon leaving the Town of Christiansburg. Thence in a southeasterly, thence southwesterly direction with Pilot Road to its intersection with Smith Creek Road (State Route 675); thence in a westerly, thence northwesterly direction with Smith Creek Road to its intersection with Riner Road (State Route 8); thence in a southwesterly direction with Riner Road to its intersection with Childress Road (State Route 693); thence in a southwesterly direction with Childress Road to its intersection with Meadow Creek Road (State Route 658); thence in a northwesterly direction with Meadow Creek Road to its intersection with the northwestern tributary of Meadow Creek; thence with said tributary in a northwesterly direction to its intersection with Mud Pike (State Route 666) approximately 1,200 feet west of Edgemont Church; thence in a northeasterly direction with Mud Pike to its intersection with Gate Road (State Route 724); thence in a northeasterly direction with Gate Road to its intersection with Plum Creek Road (State Route 604); thence in a northeasterly direction with Plum Creek Road to its intersection with Radford Road (U.S. Route 11); thence in an easterly direction with Radford Road for approximately 500 feet to its intersection with an unpaved road (old U.S. Route 11); thence in an easterly direction with the unpaved road to its intersection with Barringer Mountain Road (State Route 720); thence in a northerly direction with Barringer Mountain Road until it makes a 90 degree turn to the west and becomes Spaulding Road (State Route 720); thence in a westerly direction with Spaulding Road to its intersection with a telephone line; thence in a northeasterly direction with the telephone line to its intersection with Crab Creek; thence in an easterly direction with Crab Creek to its intersection with North Franklin Street, the point of beginning.~~

Polling Place: Christiansburg Armory  
15 College Street  
Christiansburg, VA. 24073

VOTING PRECINCT D-1

Beginning at intersection of West Main Street and South Franklin Street; thence proceeding with South Franklin Street which becomes Pilot Road (State Route 615) upon leaving the Town of Christiansburg. Thence in a southeasterly, thence southwesterly direction with Pilot Road to its intersection with Smith Creek Road (State Route 675); thence in a westerly, thence northwesterly direction with Smith Creek Road to its intersection with Riner Road (State Route 8); thence in a southwesterly direction with Riner Road to its intersection with Childress Road (State Route 693); thence in a southwesterly direction with Childress Road to its intersection with Meadow Creek Road (State Route 658); thence in a northwesterly direction with Meadow Creek Road to its intersection with the northwestern tributary of Meadow Creek; thence with said tributary in a northwesterly direction to its intersection with Interstate 81; thence with Interstate 81 in an easterly direction to its intersection with West Main Street; thence with West Main Street in an easterly direction to its intersection with South Franklin Street, the point of beginning.

Polling Place: Christiansburg Armory  
15 College Street  
Christiansburg, VA 24073

VOTING PRECINCT D-5

Beginning at the intersection of Crab Creek and North Franklin Street; thence in a southerly direction with North Franklin Street to its intersection with West Main Street; thence in a westerly direction with West Main Street to its intersection with Interstate 81; thence in a westerly direction with Interstate 81 to its intersection with the northwestern tributary of Meadow Creek; thence with said tributary in a northwesterly direction to its intersection with Mud Pike (State Route 666) approximately 1,200 feet west of Edgemont Church; thence in a northeasterly direction with Mud Pike to its intersection with Gate Road (State Route 724); thence in a northeasterly direction with Gate Road to its intersection with Plum Creek Road (State Route 604); thence in a northeasterly direction with Plum Creek Road to its intersection with Radford Road (U.S. Route 11); thence in an easterly direction with Radford Road for approximately 500 feet to its intersection with an unpaved road (old U.S. Route 11); thence in an easterly direction with the unpaved road to its intersection with Barringer Mountain Road (State Route 720); thence in a northerly direction with Barringer Mountain Road until it makes a 90 degree turn to the west and becomes Spaulding Road (State Route 720); thence in a westerly direction with Spaulding Road to its intersection with a telephone line; thence in a northeasterly direction with the telephone line to its intersection with Crab Creek; thence in an easterly direction with Crab Creek to its intersection with North Franklin Street; the point of beginning.

Polling Place: Montgomery-Floyd Regional Library, Christiansburg Branch  
125 Sheltman Street  
Christiansburg, VA 24073

ADOPTED by the Board of Supervisors of the County of Montgomery, Virginia, this 27<sup>th</sup> day of April, 1998.

The vote on the foregoing ordinance was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Joe. C Stewart	
Ira D. Long	

James D. Politis  
Larry N. Rush  
Annette S. Perkins  
Joseph V. Gorman, Jr.

**NEW BUSINESS**

Rezoning Request

**-Edwin M. Stewart (Agent: Anderson & Associates)** request to rezone approximately 5 acres; Tax Parcels Nos. 104-A-27A and 28, 104-4-45 and 46 from Agriculture (A-1) to General Business (GB). Property is located at 2875 and 2827 Barn Road in the Riner Magisterial District.

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

BE IT RESOLVED, That the Edwin M. Stewart request to rezone approximately 5 acres, Tax Parcels Nos. 104-A-27A and 28, 104-4-45 and 46 from Agriculture (A-1) to General Business (GB). located at 2875 and 2827 Barn Road, Riner Magisterial District, is hereby **tabled** in order to allow the Planning Commission time to develop a joint Comprehensive Plan amendment.

FURTHER, The Planning Commission is directed to work with the Radford Planning Commission on a joint Comprehensive Plan amendment for the Corridor Area on the south side of Interstate-81.

The vote on the foregoing resolution was as follows:

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

**Parkview Estates Lot Line Revision**

WHEREAS, The Parkview Estates Lot Line Revision requests the vacation and relocation of portions of the public right-of-way of Blair Street and Gallimore Street involving lots 8, 9, 10, 11, 12, 13, 16A, 16B, 17, 23, 24, 25A, 25B, 25C, 48, 49, 50, 51, 52, 53, 55, 56, 57, 61, 62, 63 and the recreation area on behalf of the landowner, Lucas Construction and Development, Inc.; and

WHEREAS, Section 15.2-2270 of the Code of Virginia, as amended, permits the Board of Supervisors to vacate and relocate portions of the public right-of-way of Blair Street and Gallimore Street upon request of the landowner involved.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Parkview Estates Lot Line Revision (Anderson and Associates, Inc. Document No. 13108-00 dated March 31, 1998) in the Riner Magisterial District.

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

## **COUNTY ADMINISTRATORS'S REPORT**

**Regional Competitiveness Act** This is an act of the General Assembly that designates areas of the Commonwealth to come together to develop a plan on how the regions of the Commonwealth can be more competitive economically. The Planning District Commission was designated for our region. The General Assembly appropriated up to \$350,000 for each region to help implement a plan by each region. The deadline to submit the plan is at the end of April. The results of the plan should be available in May.

### **Commerce Park**

There are approximately 16-20 jurisdictions involved in the Commerce Park. The jurisdictions have formed three committees, (1) Legal Committee, (2) Marketing Committee, (3) Project Committee. The committees will be making a recommendation that an Authority be developed and jurisdictions that want to participate may do so without any commitment. When the Authority's projects are implemented, each jurisdiction will be asked if they want to participate at that time.

## **BOARD MEMBERS' REPORT**

**Supervisor Rush-Draft resolutions** Supervisor Rush asked the Board to review the proposed resolutions for a one time stipend for the Sheriff's Department and funding for technology for the Schools.

**Supervisor Perkins -Economic Development Commission Meeting** The Commission visited the Cave, a virtual environment, located at the Corporate Research Center.

**Jamestown 2007 Celebration** Supervisor Perkins attended a meeting in Jamestown regarding the planning of a celebration in 2007 which will involve the entire state of Virginia.

**Montgomery County Human Services Commission** The next meeting will be on May 7, 1998 to discuss the outcome of the Commission and the reorganization of staff.

**Disaster Relief** Supervisor Perkins will be attending a meeting in May.

**Supervisor Politis - Transportation Safety Commission** Supervisor Politis met with several members of the Commission to study traffic impact on Meadowcreek Road, Fairview Church Road, Tyler Road, and I-81. The recommendations from the Commission members included: lowering the speed limit; requesting a traffic volume study of Meadowcreek Road; sending a Highway Hazard Report in reference to exit 109 ramps which should be lengthened due to high volume of traffic into the new hospital and City of Radford; and found the commercial complex on the southwest corner of I-81 and Tyler Avenue to have a short distance for access on 5 ½ acres.

**Supervisor Biggs-Planning Commission** At the next meeting the Planning Commission will be the last meeting with consultants on water & sewer and mobile homes. Supervisor Biggs discussed with the Planning Commission the issue of the Comprehensive Plan.

**Schools-** Supervisor Biggs said she has had very positive comments on the school budget. The School Board still has to plan how they will be distributing the funds for FY 98-99.

**VACo Steering Committee-**Supervisor Biggs will attend the first meeting of the Steering Committee on May 15,1998.

Supervisor Biggs' seconder graders went on a field trip to Christiansburg High School. The Montgomery Regional Solid Waste Authority had a presentation about recycling.

Board Chamber's Sound System Supervisor Biggs noticed an article in the paper where citizens criticized the sound system in the Board Chambers. The County Administrator explained that a new sound system was installed in the Board Chambers and has proven to work properly. He suggested that Board Members may need to speak a little louder.

Chairman Gorman AEP Tour Chairman Gorman and Joe Powers spent Monday with State Corporation Commission Hearing Officer, Howard Anderson, touring the area of the County to be affected by AEP proposed 765kV transmission line.

Va Tech Airport Liaison The Chairman attended a meeting of the Virginia Tech Airport Liaison. Another meeting will be scheduled in the near future. A report was expected from the Virginia Tech Airport on losses entailed by the Airport in previous years, but to date has not been received. Chairman Gorman asked the Board if they had any directions on what they would like for him to address at the next Airport Liaison meeting.

Conservation Easement-Price's Mountain The Chairman is drafting another response to Virginia Tech's offer of a conservation easement on Price's Mountain to compensate for agricultural and forestal district land that was taken for construction of the "smart road".

New Industry Chairman Gorman welcomed a new company in Montgomery County, Lenkes Universal Clamp and Tool Company at the old Rowe Building on Cambria Street. Lenkes will start out as a distribution center and in time change over to a manufacturer of the products.

Planning Commission - Chairman Gorman requested that the staff to do a study to see if it would reduce the applicants processing time if the Clerk of the Board could schedule a public hearing at the time the Planning Commission schedules public hearings.

Allegheny Branch Library Site Chairman Gorman met with the Allegheny Branch Library Site Committee to discuss the availability of the existing middle school in Shawsville for the new library.

### **INTO EXECUTIVE SESSION**

On a motion by James D. Politis, seconded by Larry N. Rush 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)
- (3) Discussion or Consideration of the Condition, Acquisition or Use of Real Property for Public Purpose
    - 1. Blacksburg Middle School
    - 2. Christiansburg Middle School
  - (1) Discussion of Personnel
    - 1. County Administration
  - (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. Rezoning Request for Western End of Shawsville

### **OUT OF EXECUTIVE SESSION**

On a motion by James D. Politis, 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**

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

**NAYS**

None

**ABSENT DURING VOTE**

None

**ABSENT DURING MEETING**

None

**ADJOURNMENT**

On a motion by Larry N. Rush, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Monday, May 11, 1998 at 7:00 p.m..

The meeting adjourned at 10:00 p.m.

\_\_\_\_\_  
CHAIRMAN

ATTEST

\_\_\_\_\_  
COUNTY ADMINISTRATOR