

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY
COUNTY, VIRGINIA HELD ON THE 8th DAY OF JUNE, 1998 AT 7:30 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
	Mary W. Biggs	
	Annette S. Perkins (arrived at 7:55 p.m.)	
	James D. Politis	
	Joe C. Stewart	
	Jeffrey D. Johnson	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	T.C. Powers, Jr.	-Planning Director
	Steve Phillips	-Public Facilities Director
	Vickie L. Swinney	-Secretary

CALL TO ORDER

Chairman Gorman called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATION

New River Community Services Board

Representatives from New River Community Services Board presented an overview of the NRVCSB and the services provided in Montgomery County. Mr. Lynn Chenault, Executive Director, gave a brief introduction of NRVCS and introduced the next speaker, Dr. Harvey Barker.

Dr. Harvey Barker, Director of ACCESS: Emergency and Assessment Services, presented the agency's overview. Dr. Barker stated that the goal of NRVCS is to provide an array of professional mental health, mental retardation, substance abuse and prevention services from the resources they have and to serve these efficiently and effectively as possible. The NRVCS is more of a healthcare provider now instead of just a social services agent. To better serve the citizens of the New River Valley a re-organization of the NRVCS was done.

Dr. Barker stated that NRVCS has moved away from the traditional structure of mental health and towards a new organization which offers three service units (1) ACCESS: Emergency and Assessment Services; (2) Child and Family Services; (3) Adult and Family Services.

Dr. Barker also spoke about several environmental trends that affect the operation of NRVCSB. One trend is the third party insurance companies who dictate the type of services they offer, the patients that need service and the level of professional staff they have. A second trend is NRVCS dependency on fees and third party pay. Another trend Dr. Barker spoke on is the control from the Department of Mental Health on any new monies received from the state. All new monies received are for new programs and cannot be used to maintain existing programs .

Dr. Barker is the director of the service unit ACCESS. The goal of ACCESS is to provide a centralized system for referral sources. The next goal is to quickly and effectively determine the client needs and connect them with the appropriate level of service to ensure all clients receive the

appropriate quality care. Dr. Barker stated another goal was to respond quickly to emergency situations.

Linda Felts, Coordinator with Child and Family Services, spoke next on the services provided by the Child and Family Services. This service focuses on strengthening and promoting healthy growth and development in youth. Services include early prevention, prevention and education, and clinical services. The goal of this service is to prevent hospitalization or minimize the stay for children in the hospitals and to keep the children in the community with the help and support that the NRVCS can offer. Ms. Felts stated they work a lot within the schools especially with substance abuse.

Dr. Doris Nevin, Clinical and Medical Services Supervisor, spoke on the services provided by the Adult and Family Services. This service focuses on providing therapeutic treatment, case management, support services, employment services, housing assistant, social and recreational skills development. Dr. Nevin spoke on the medical, nursing and outpatient clinic services that they offer. They have six psychiatric physicians and three licenses nurses on staff. With the services of these physicians and nurses the number of hospital days for patients have been reduced or eliminated, which is one main goal of NRVCS.

Kathi Russell, Support Living Services Supervisor, spoke on the services by the Support Living Services in connection with the Adult and Family Services. This services provides individualized residential support services to people with development disabilities and/or serious mental illness. The support services can include behavior support, money management, day support, such as shopping and cleaning. This allows the individual to participate in the community and gives them some sort of independency. The number of hours for these services can vary depending on the amount of support each individual needs.

Dr. Barker concluded the delegation by thanking the Board of Supervisors for their continued support over the years and look forward to working with the Board in a positive relationship in the upcoming year.

PUBLIC ADDRESS SESSION

Jim Noonkester spoke on the reasons why the Price's Fork area should be incorporated into a town. He compared Price's Fork to the Town of Narrows in relation to size. He stated how Narrows received a \$264,000 grant for street improvements while Price's Fork was charged \$144,000 by VDOT for improvements on Price's Fork Road due to the relocation of the water line. The Town of Narrows also received \$1.4 million for revitalizing the town. He indicated that the citizens in the Price's Fork area pay their fair share of taxes and should receive their fair share back to their community. Mr. Noonkester invited the Board of Supervisors to the next meeting concerning the township of Price's Fork to be held on June 15, 1998.

CONSENT AGENDA

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Consent Agenda dated June 8, 1998 was approved. The vote was as follows:

AYE

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

NAY

None

Approval of Minutes of May 11, 1998

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Minutes of May 11, 1998 were approved.

*** Schedule Public Hearing-Proposed Transfer of Property for Construction of 3A Corridor**

The above referenced item was pulled from the Consent Agenda at the request of Supervisor Stewart and placed under New Business.

Procurement-Economic Development

The above referenced item was pulled from the Consent Agenda at the request of Supervisor Stewart and placed under New Business.

Schedule Public Hearings

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby schedules a public hearing on Monday, July 27, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia for the purpose of receiving citizens' comments on the following:

Proposed Conveyance of Property

-Conveyance of 9.708 acres to the Department of Transportation of the Thompson Landfill property located adjacent to Interstate 81, for the construction of the smart highway interchange connector to Interstate 81.

Appropriation and Transfers

VPSA Bond Proceeds

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Construction 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:

993 School Construction Fund \$5,300,000

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

Revenue Account

4104-01 Bond Proceeds \$5,300,000

Said resolution appropriates the bond proceeds from the Virginia Public School Authority to finance certain school capital projects such as the Auburn Elementary School and the new high school in Elliston.

Refund of Bid Bond

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that

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

130	Finance Department	\$1,800
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

4101-09	Bid Bond	\$1,800
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Said resolution appropriates return of a deposit used for bid bond.

Additional Appropriation-Department of Social Services

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1998, for the function and in the amount as follows:

410	Social Services	\$820
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account:

240102	Public Assistance	\$820
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Said resolution appropriates recovered costs for the Medicaid pre-screening and Adult Care Residence monies for other public assistance services.

Additional Appropriation-Montgomery-Floyd Regional Library

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1998, for the function and in the amount as follows:

420	Montgomery Library	\$ 1,549
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

1515-08	Library Donations	\$ 1,451
1901-36	Recovered Costs	<u>\$ 98</u>
	Total	\$ 1,549

Said resolution appropriates donations for use by the Library and recovered costs resulting from an electronic transfer made to the Library in error by the Commonwealth.

Appropriation - FY 1998-99 Budget

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the following appropriation for the fiscal year ending June 30, 1999 be and the same is hereby

made effective July 1, 1998 for the organizations indicated on the following listing:

FURTHER, The Treasurer is hereby authorized to make the necessary transfers between funds as required to keep expenditure accounts appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by Fund.

FURTHER, The Treasurer is hereby authorized to make the necessary wire transfers, as appropriate.

**EXPENDITURE ACCOUNTS
TO BE APPROPRIATED**

GENERAL FUND

1	Revenue Refunds	85,000
100	Board of Supervisors	234,121
110	County Administrator	483,539
120	County Attorney	143,101
130	Finance Department	385,588
131	Information Mgt. Services	409,664
132	Insurance	125,449
140	Economic Development	225,315
150	Public Facilities	802,209
151	Solid Waste/Environ. Prot.	1,435,896
152	Animal Control	160,566
160	Planning and Inspections	522,476
170	Human Services	202,553
171	Parks and Recreation	445,934
210	Commissioner of Revenue	365,266
220	Assessment-100% County	271,791
230	Treasurer	376,654
240	Collections-100% County	286,291
250	Assessment/Equalization	61,956
300	Circuit Court	68,751
301	General District Court	18,395
302	Magistrate	4,585
303	Juvenile and Domestic Relations Court	14,637
310	Sheriff-Co/State	3,380,290
311	Sheriff-100% County	391,991
320	Circuit Court Clerk	424,058
330	Commonwealth Attorney	367,413
410	Social Services	3,750,093
411	Electoral Board	190,725
415	Health Department	364,361
420	Regional Library	1,330,649
430	Comprehensive Services	864,097
440	Fire and Rescue	347,606
450	Other Agencies	495,446
515	Engineering Environmental Services	256,760
520	General Government Debt Service	1,020,882
540	Internal Services	303,988
550	Contingencies-General	254,000
560	Contingencies-Special	339,879
940	Capital Improvements	720,000
999	Adj. for Internal Services	(48,500)

TOTAL GENERAL FUND \$ 21,883,475

LAW LIBRARY FUND

990 Law Library \$ 17,600

991 SCHOOL OPERATING FUND

610 Instruction \$ 42,915,328
620 Administration, Attendance, and Health 1,913,090
630 Pupil Transportation 2,030,488
640 Operation and Maintenance 6,374,317
650 Other Non-Instructional Operations 44,128
670 Debt Service 2,388,391
TOTAL SCHOOL OPERATING FUND \$ 55,665,742

992 SCHOOL CAFETERIA FUND \$ 2,437,996
994 SCHOOL TEXTBOOK FUND \$ 219,500
995 SCHOOL ECIA FUND \$ 1,076,520
TOTAL SCHOOL SPECIAL FUNDS \$ 3,734,016

GRAND TOTAL EXPENDITURES \$ 81,300,833
The source of funds for the foregoing appropriation is as follows:

ESTIMATED RESOURCES

GENERAL FUND

REVENUE

General Property Taxes \$ 28,765,674
Other Local Taxes 6,353,954
Other Undesignated Revenue 1,007,443
Resources Designated by Department 9,596,715
Subtotal \$ 45,723,786

OTHER

Transfers to School Operating Fund: (24,540,379)
Use of Fund Balance 700,068
Subtotal \$ (23,840,311)
TOTAL GENERAL FUND RESOURCES: \$ 21,883,475

LAW LIBRARY FUND

REVENUE \$ 15,000
USE OF FUND BALANCE 2,600

TOTAL LAW LIBRARY FUND RESOURCES \$ 17,600

SCHOOL OPERATING FUND

REVENUE \$ 31,125,363
TRANSFER FROM GENERAL FUND 24,540,379
TOTAL SCHOOL OPERATING FUND \$ 55,665,742

SCHOOL CAFETERIA FUND RESOURCES \$ 2,437,996

SCHOOL TEXTBOOK FUND RESOURCES \$ 219,500

ECIA (ESEA) FUND RESOURCES \$ 1,076,520

GRAND TOTAL ALL RESOURCES \$ 81,300,833

Procurement-Educational Software-Wilson Avenue School

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a purchase order to **TRO Learning, Inc.** of Fairfax, Virginia for the purchase of a selection of educational software for the Wilson Avenue School for \$8,020. This is a sole source purchase as TRO Learning, Inc. is the only known source that provides this particular educational software.

Policy on Construction, Establishment or Authorization of Public Buildings, Structures, Facilities or Areas

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby establishes the following policy for Planning Commission review of any public building, structure, facility or area prior to its construction, establishment or authorization in accordance with Section 15.2-2232 of the Code of Virginia, as amended:

- Following the execution of an option agreement for such buildings, structures, facilities or areas by the Board of Supervisors, the Board shall refer the matter to the Planning Commission.
- The Planning Commission will review the property in open session and discuss the compliance or non-compliance of the proposed public use of the property with the County's adopted Comprehensive Plan. The Planning Commission may, and at the direction of the Board of Supervisors shall, hold a public hearing as part of their review process.
- The Planning Commission will then make a report to the Board of Supervisors on the compliance or non-compliance with the Comprehensive Plan.
- If the proposed property use is not in compliance with the Comprehensive Plan, the Planning Commission may recommend that the Comprehensive Plan be amended.

Riner Consolidated Collection Site

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

WHEREAS, The Riner Consolidated Collection Site has been reviewed by the Planning Commission under Section 15.2-2232; of the Code of Virginia, as amended; and

WHEREAS, The Planning Commission has determined the site is compatible with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia accepts the recommendation of the Planning Commission.

Addition to the Secondary System of State Highways-New Ridge Street

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

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

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

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

ADDITION:

Name of Subdivision

The Ridges Phase I

Name of Street

Length

New Ridges

From State Route 603

0.82 Mi to Cul-de-sac

0.82 Mi

Plat Recorded: July 13, 1984

Deed Book: 490; page 859

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

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

Name New Street-Bryant Lane

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

WHEREAS, The landowners located on a private street off Spotswood Road have petitioned the County to name this street Bryant Lane; and

WHEREAS, Bryant Lane complies with the County Street Name Policy.

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

Agricultural & Forestal District- 14 (Fishers View) Renewal

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

WHEREAS, Agricultural and Forestal District-14 (Fisher's View) encompassing over 600 acres is scheduled for renewal; and

WHEREAS, Section 15.1-1511(F) of the Code of Virginia, and the Montgomery County Agricultural and Forestal District Administrative Procedures Ordinance (Ordinance 1987-25) provide for the orderly review and renewal of such districts.

June 8, 1998

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NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County does hereby direct the Advisory Committee on Agricultural and Forestal Districts and the Planning Commission to commence the review and renewal process for AFD-14.

Cedar Orchard Subdivision

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

WHEREAS, The Resubdivision of Cedar Orchard Subdivision Phase IV-A Lots 42, 43 and 44 requests the relocation of a portion of the public right-of-way of Leisure Lane on behalf of the landowner, Cedar Orchard Corporation; and

WHEREAS, Section 15.2-2270 of the Code of Virginia, as amended, permits the Board of Supervisors to relocate this portion of the public right-of-way of Leisure Lane upon request of the landowner involved.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Resubdivision of Cedar Orchard Subdivision Phase IV-A Lots 42, 43 and 44 (Balzer and Associates Job #95120-A dated January 23, 1998) in the Mt. Tabor Magisterial District.

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

OLD BUSINESS

Planning Recommendations

Rezoning Request

-James P. and Kathyne Smith request to rezone 4.01 acres from A-1 (Agriculture) to GB (General Business); with proffered conditions; Tax Parcel No. 119-A-33A, located at 1803 Fairview Church Road in the Riner Magisterial District. The Comprehensive Plan designates this area as a Rural Expansion Area.

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

ORDINANCE 1998-14

An Ordinance Amending or Changing the Zoning Classification of 4.01 Acres From A-1 (Agriculture) to GB (General Business).

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 4.01 acres of land is hereby changed, amended and rezoned from the zoning classification of A-1 (Agriculture) to GB (General Business) subject to the following proffered conditions:

- a. The use of the property will be for restaurant, catering, meeting and seminar facilities, bed and breakfast, and accessory uses consistent with zoning ordinances of Montgomery County.
- b. The existing historic house may be altered to accommodate business use, with any alterations to the existing structure and construction of new accessory buildings being architecturally compatible.

This action was commenced upon the application of James P. and Kathyne Smith.

These tracts or parcels of land are identified as being property shown on Tax Parcel No. 119-A-33A located at 1803 Fairview Church Road in the Riner Magisterial District.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

AYE

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

NAY

None

Rezoning Request

-James and Alice Noonkester request to rezone approximately 1.16 acres from A-1 (Agriculture) to GB (General Business); Tax Parcels No. 51-6-6F and 6G, located at 4370 and 4384 Prices Fork Road in the Prices Fork Magisterial District. The Comprehensive Plan designates this area as a Rural Expansion Area.

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

ORDINANCE 1998-15

**An Ordinance Amending or Changing
the Zoning Classification of 1.16 acres
from A-1 (Agriculture) to GB (General
Business).**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tracts or parcels of land consisting of 1.16 acres of land is hereby changed, amended and rezoned from the zoning classification of A-1 (Agriculture) to GB (General Business).

This action was commenced upon the application of James and Alice Noonkester.

These tracts or parcels of land are identified as being property shown on Tax Parcels No. 51-6-6F and 6G located at 4370 and 4384 Prices Fork Road in the Prices Fork Magisterial District.

This ordinance shall take effect upon adoption.

The vote on the foregoing ordinance was as follows:

AYE

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

NAY

None

Special Use Permit Amendment Request

-Roy Phillip Harman and SSC Limited Liability Corporation request for a Special Use Permit amendment to allow operation of a second asphalt plant on Tax Parcel No. 67-A-196, located at the ACCO quarry on Jennelle Road, in the Shawsville Magisterial District. The Comprehensive Plan designates this area as Rural.

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

BE IT RESOLVED, That the Roy Phillip Harman and SSC Limited Liability Corporation request to amend the existing Special Use Permit first issued on January 9, 1978 and amended on July 24, 1989 and January 10, 1996 to allow the operation of a second asphalt plant; Tax Parcel No. 67-A-196 located at the ACCO quarry on Jennelle Road in the Shawsville Magisterial District is hereby approved with the following additional conditions:

13. Operation of an asphalt plant at the location shown on the preliminary site plan dated 2/26/98 (Draper-Aden Associates Plan No. T-7309) is permitted. Operating hours for the asphalt plant shall not be limited by Condition No. 2.
14. No entrance shall be constructed onto Yellow Sulfur Road (State Route 643).

The vote on the foregoing motion was as follows:

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

Capital Improvements Program

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

WHEREAS, The Capital Improvement Program Committee has developed a Capital Improvement Program (CIP) for FY 1998-99 through FY 2000-01 as directed by the Board of Supervisors of Montgomery County; and

WHEREAS, This CIP has been reviewed and approved by the Planning Commission as being in compliance with the Comprehensive Plan; and

WHEREAS, The Board has provided funding in FY 1998-99 operating budget totaling \$750,000.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby approves the following projects to receive funding in FY 98-99:

<u>Department</u>	<u>Project Name</u>	<u>Amount</u>
Longshop/McCoy Fire Department	Replace Tanker-Pumper	\$190,000 **
Riner Fire Department	Radio Equipment	8,500 *
Riner Fire Department	Replace Air Packs	30,000 *
Christiansburg Rescue	Upgrade Radio Equip.	100,000
Public Facilities-Collections	Replace Trash Truck	138,500
Public Facilities-Collections	Consolidated Site	85,000 *
Building & Grounds	Roof Replacement	12,000
Schools	Utility System Upgrade	30,000 *
Schools	Blacksburg Running Track	33,000 *
Schools	School Construction Needs	25,000 *
Schools	Cafeteria Dishwasher & Other	33,000 *
Public Facilities	Miner's Park	<u>35,000</u>

Utility Agreements

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

WHEREAS, The Town of Blacksburg, Virginia, and the County of Montgomery, Virginia, have entered into a Boundary Line Adjustment Agreement whereby four-hundred eight (408) acres will be incorporated into the Town of Blacksburg; and

WHEREAS, In consideration of the incorporation of the four-hundred eight (408) acres, the Town of Blacksburg has agreed to enter into agreements with the County of Montgomery and the Public Service Authority to (1) expand the Merrimac water service area and capacity; (2) to provide sewer capacity to the Price Mountain area; (3) to provide water sewer capacity to the Jennelle Road-Yellow Sulphur Road area; (4) to expand the Warm Hearth water service area and capacity; and to (5) transfer water customers infrastructure and provide water capacity in the Route 114 water service area; and

WHEREAS, These utility agreements are subject to final judicial approval of the Boundary Line Adjustment Agreement between the Town of Blacksburg and the County of Montgomery.

WHEREAS, The County is required to sign the Price Mountain Sewer Service Agreement and the Jennelle Road and Yellow Sulphur Road Water and Sewer Agreement for the sole purpose of enforcing the rules and regulations for users of the public wastewater collection system within the County of Montgomery as prescribed in Chapter 9.2 of the Code of the County of Montgomery, Virginia.

UPON CONSIDERATION THEREOF, IT IS HEREBY RESOLVED, By the Board of Supervisors of the County of Montgomery, that the following Utility Agreements between the Town of Blacksburg, the County of Montgomery and the Montgomery County Public Service Authority are approved subject to final judicial approval of the Boundary Line Adjustment between the Town of Blacksburg and the County of Montgomery:

1. Price Mountain Sewer Service Agreement
2. Jennelle Road and Yellow Sulphur Road Water and Sewer Agreement

IT IS HEREBY FURTHER RESOLVED That the Chairman is authorized and directed to execute the above referenced agreements on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

IN WITNESS WHEREOF, The Board of Supervisors of the County of Montgomery has caused this Resolution to be duly executed on its behalf by its Chairman and attested by the Clerk of the Board.

The vote on the foregoing motion was as follows:

AYE

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

NAY

Joe C. Stewart

Schedule Public Hearing

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby schedules

a public hearing on Monday, July 27, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia for the purpose of hearing citizens' comments on the following:

Proposed Transfer of Property

-Transfer of 0.931 acre west of County Road to the Commonwealth of Virginia and convey the necessary easements to the Town of Christiansburg, the Montgomery Regional Solid Waste Authority, Bell-Atlantic and American Electric Power for the construction of the 3A corridor.

The vote on the foregoing motion was as follows:

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

Economic Development Utility Vehicle

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby agrees to award a purchase order to **Shelor** of Christiansburg, Virginia for \$29,500 for a previously owned 1997 Chevrolet Suburban vehicle, to be used by the Department of Economic Development and other County Departments as needed. This purchase was competitively solicited and the price negotiated under the terms of RFP # 98-17.

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

FROM:

140 Economic Development (\$11,500)

TO:

921 Economic Development CIP \$11,500

Said resolution transfers funds from Economic Development to Economic Development CIP to fund a portion of a the vehicle purchase.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	Joe C. Stewart
Larry N. Rush	
Ira D. Long	
James D. Politis	
Annette S. Perkins	
Joseph V. Gorman, Jr.	

COUNTY ADMINISTRATOR'S REPORT

New River Community Services Board- The Assistant County Administrator, gave a brief summary of the new requirements set by the General Assembly for the Community Services Board. The General Assembly passed House Bill 428 which requires local government participation in certain aspects of the operation of Community Services Board. Local governments are required to (1) Designate a "type" of Community Services Board (CSB), and they may select from three types, an Operating Board, which is what the New River Valley Community Services Board is now, an Administrative Board, or a Policy Advisory Board. (2) Make appointments to the CSB in

conformance with new requirements for Board composition, and (3) approve performance contract between CSB and the state Department of Mental Health, Mental Retardation and Substance Abuse Services. These requirements are to take affect July 1, 1998.

Capital Improvement Program Study- The County is developing a study of the Capital Improvement Program. The purpose of the study is to distinguish capital improvement projects from maintenance projects that are a regular part of operations. It is recommended that a review of existing CIP projects be done and identify which projects are considered regular operation and maintenance items and could have been funded through Facilities and Maintenance Fund. Also it is recommended to review the CIP definitions used by other localities for Capital Improvement Program. The analysis of the study will be presented to the Board with options for incorporating the CIP into a capital budget separate from the operation budget.

The Planning Director introduced the new Grants Coordinator/Planner, Kimberly Golden. Mr. Powers stated that Ms. Golden is from Stafford County and where she worked as an intern at the Department of Housing & Community Development.

Commerce Park- A meeting is scheduled for June 11, 1998 at 7:00 p.m. A draft of the working agreement will be available for review at this meeting. The working agreement states that an Authority will be formed of localities who wish to participate and pay annual membership dues. To date the amount of \$5,000 per year was discussed. Each locality can then decide on which projects they wish to participate in and a project agreement then will be signed by all localities wanting to participate. This agreement of the Commerce Park will have to be approved by the Bond Counsel, then the agreement will be brought to the Board for their decision to join the Authority.

Juvenile Detention Facility - There is a meeting scheduled for June 16, 1998 at 7:00 p.m. at the New River Planning District Commission Office for the purpose of determining the interest in a regional project and how a feasibility study could be funded. The County Administrator indicated that if Montgomery County wants to participate in the study, the Detention Home should pay Montgomery County's share of the study.

BOARD MEMBERS' REPORT

Supervisor Biggs thanked the Board and Chairman for scheduling the meeting for 7:30 p.m. tonight. This allowed her and Supervisor Stewart to attend his great granddaughter's graduation from Elliston/Lafayette Elementary School.

School Board Meeting - At the School Board meeting the salary information for school employees was approved for FY 98-99. The School Board is still considering benefits for non-benefit school part-time employees, such as school bus drivers and cafeteria workers, since no final plan was ready for approval.

New River Valley Economic Development Alliance - attended June 4, 1998 meeting with Supervisor Perkins. Mr. Wayne Sterling from the State spoke at the meeting on how the State will be working more with localities on the establishment/development of industrial parks.

Planning Commission- The ordinances have been printed and delivered. Supervisor Biggs handed out these to the Board Members and to the press.

Supervisor Politis reported that his son had an accident on Brush Creek Road recently. He already has called VDOT to come and access the problems on this road. Apparently there is a portion of the road with little clearance, allowing only room for one car to pass.

Supervisor Perkins attended the Blacksburg High School award program. There were six national merit scholarship recipients.

Economic Development Commission attended the last meeting and the Commission is planning a retreat to cover the goals and objectives. The date and time has not been set.

Human Service Commission attended the executive committee meeting.

Intersection at Route 114 and Price's Fork Road Supervisor Perkins expressed her concern about vehicles cutting through Stu's Market parking lot to avoid being stopped at the light. She stated that Supervisor Biggs and herself were at the intersection when a pickup truck cut through the parking lot at a high rate of speed. Supervisor Perkins indicated that luckily there was no one in the parking lot at the time or they would have been hit. She stated that this is a serious situation and would like for the Sheriff to look into this matter.

Supervisor Rush Parks & Recreation Commission, the swim lessons at the Frog Pond had been canceled. Due to complaints from citizens the Park & Recreation reconsidered and swim lessons will resume.

Pee Wee Football, to be considered adding to the Parks & Recreation program. The Director of Parks & Recreation will request funds from the current fiscal year to be escrowed to next fiscal year for the funding of this program.

Substance Abuse Among Teens, Supervisor Rush informed the other Board Members of the growing problem of substance abuse among teens in the schools. He had two students to approach him of the problems and wanted to know if he could do something about the drug problem in the schools.

Supervisor Stewart- Road Conditions, Supervisor Stewart wanted to know if VDOT could respond faster to the County's road requests. He indicated that he knew of several roads that has been presented to VDOT for repair and nothing has been done to date.

Chairman Gorman Mid-County Landfill, the ground monitoring problems at the landfill have been identified by DEQ and they are working to resolve this.

Self Addressed Envelope, Supervisor Gorman asked what would the cost be to enclosed a self addressed envelope with tax tickets. He had several complaints from citizens about this issue.

Appalachian Regional Commission, Montgomery County along with the City of Radford has become eligible to participate in the Commission. At this point it means the County is eligible but not necessarily a member. The staff is exploring the procedures to complete this process.

INTO EXECUTIVE SESSION

On a motion Annette S. Perkins, and seconded by Larry N. Rush and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors hereby enter 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 |
| | (7) | Consultation with Legal Counsel and Briefings by Staff Members Pertaining to Actual or Probable Litigation. |
| | 1. | Mid County Landfill |
| | 2. | Price's Fork Township |

The vote on the foregoing motion was as follows:

AYE

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

NAY

None

OUT OF EXECUTIVE SESSION

On a motion by Ira D. Long, 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.

The vote on the foregoing motion was as follows:

AYE

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

NAY

None

CERTIFICATION OF EXECUTIVE SESSION

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

WHEREAS, The Board of Supervisors of Montgomery County has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the executive meeting were heard, discussed or considered by the Board.

VOTE

AYES

Annette S. Perkins
Mary W. Biggs
Ira D. Long
James D. Politis
Joe C. Stewart

Larry N. Rush
Joseph V. Gorman, Jr.

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

ADJOURNMENT

On motion by Ira D. Long , seconded by James D. Politis and carried unanimously, the Board adjourned to Monday June 22, 1998 at 7:00 p.m.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 10:00 p.m.

_____ ATTEST _____
— CHAIRMAN COUNTY ADMINISTRATOR