

TO: The Honorable Board of Supervisors

FROM: B. Clayton Goodman, III, County Administrator  
L. Carol Edmonds, Assistant County Administrator

DATE: March 24, 2008

**SUBJECT: AGENDA REPORT**

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**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
  1. CPMT
  2. Community Services Board
  3. Office on Youth Advisory Board
  4. Parks and Recreation Commission
  5. Personnel
  
- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body
  1. Prices Fork Elementary School Site
  2. Courthouse

(7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Proposed Boundary Line Adjustment – Town of Blacksburg

2. Virginia Tech – April 16<sup>th</sup> Incident

### **III. OUT OF CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

### **IV. CERTIFICATION OF CLOSED MEETING**

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed 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 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed 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 closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised pursuant to law in the Current Section of the Roanoke Times on February 27 and March 5, 2008:

1. Rezoning – Reese Family Limited Partnership- CONTINUED

**An Ordinance requested by Reese Family Limited Partnership rezoning approximately 227.65 acres from Agriculture (A-1) to Rural Residential (RR), with proffered conditions, to permit a maximum allowed density of 67 single family detached units.** The property adjoins The Ridges phases 2-7 and is located on the west side of Bradshaw Rd. (Rt. 629), north of New Ridge Rd (Rt. 1052), identified as Tax Parcel No(s) 45-A-80, 45-3-5A, and 32-A-55 (Acct. #s 025398, 034187, and 001477) in the Mt. Tabor Magisterial District (District C). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

**At their March 12, 2008 meeting, the Planning Commission tabled this request to their April 16, 2008 meeting. Therefore, this public hearing is continued to the Board of Supervisors' April 28, 2008 meeting.**

See TAB A for a copy of the Planning Commission's letter.

2. Rezoning – Rhondy L. Martin and Margene Martin - CONTINUED

**An Ordinance requested by Rhondy L. Martin and Margene Ward Martin 1997 Trust (Agent: Mathews & Henegar, Inc.) for rezoning approximately 18.1325 acres from Agriculture (A-1) to Rural Residential (RR), with possible proffered conditions, to allow maximum density of 12 single family detached lots.** The property is located at 1806 Keisters Branch Rd (Rt.718), identified as Tax Parcel No(s). 51-A-51, (Acct. # 018027), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

**At their March 12, 2008 meeting, the Planning Commission tabled this request to their April 16, 2008 meeting. Therefore, this public hearing is continued to the Board of Supervisors' April 28, 2008 meeting.**

See TAB B for a copy of the Planning Commission's letter.

The following public hearings were advertised pursuant to law in the Current Section of the Roanoke Times on March 9 and March 16, 2009:

3. American Electric Power Request for Right-of-Way Easement – New Blacksburg High School Stadium  
**American Electric Power request for a right-of-way easement for an underground utility line behind the Blacksburg Middle School in order to provide electrical services to the new Blacksburg High School Football Stadium located on Prices Fork Road in Blacksburg, Virginia.**  
Tax ID# 283-1-6. (See TAB C)
  
4. American Electric Power Request for Right-of-Way Easement – Eastern Montgomery High School  
**American Electric Power request for a right-of-way easement for an underground utility line to provide service to the new baseball field at Eastern Montgomery High School, Elliston, Virginia. (See TAB D)**
  
5. American Electric Power Request for Right-of-Way Easement – Auburn Elementary School  
**American Electric Power request for a right-of-way easement for an underground utility line to provide service to one mobile unit at Auburn Elementary School, Riner, Virginia, Tax ID # 119-A-37. (See TAB E)**
  
6. American Electric Power Request for Right-of-Way Easement – Motor Mile Park  
**American Electric Power for a right-of-way easement for an underground utility line to provide service for the ball field lighting at the Motor Mile Park off Tyler Road (Rt. 177). Tax ID # 104-A-10.**  
( See TAB F )

## VIII. PUBLIC ADDRESS

## IX. ADDENDUM

**X. CONSENT AGENDA**

**XI. OLD BUSINESS**

- A. SUBJECT: AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
NEW BLACKSBURG STADIUM**

**R-FY-08-  
AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
NEW BLACKSBURG STADIUM**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across the Blacksburg Middle School property owned by Montgomery County located at 3109 Prices Fork Road, Blacksburg, Virginia to provide electrical service for the new Blacksburg Stadium Facility.

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is hereby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Authorize the conveyance of a right-of-way easement to AEP.

JUSTIFICATION: AEP has requested conveyance of an easement in order to provide electrical services to the new Blacksburg Stadium. A public hearing was held earlier tonight.

- B. SUBJECT: AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
EASTERN MONTGOMERY HIGH SCHOOL**

**R-FY-08-  
AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
EASTERN MONTGOMERY HIGH SCHOOL**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across the Eastern Montgomery High School property owned by

Montgomery County located at 4695 Crozier Road, Elliston, Virginia to provide electrical service for the new baseball field an Eastern Montgomery High School.

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is herby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Authorize the conveyance of a right-of-way easement to AEP.

JUSTIFICATION: AEP has requested conveyance of an easement in order to provide electrical services for the new baseball field at Eastern Montgomery High School. A public hearing was held earlier tonight.

**C. SUBJECT: AMERICAN ELECTRIC POWER REQUEST FOR RIGHT-OF-WAY EASEMENT AUBURN ELEMENTARY SCHOOL**

**R-FY-08- AMERICAN ELECTRIC POWER REQUEST FOR RIGHT-OF-WAY EASEMENT AUBURN ELEMENTARY SCHOOL**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across the Auburn Elementary School property owned by Montgomery County located at 4315 Riner Road, Riner, Virginia to provide electrical service to one mobile unit at Auburn Elementary School.

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is herby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Authorize the conveyance of a right-of-way easement to AEP.

JUSTIFICATION: AEP has requested conveyance of an easement in order to provide electrical services to one mobile unit at Auburn Elementary School. A public hearing was held earlier tonight.

**D. SUBJECT: AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
MOTOR MILE PARK**

**R-FY-08-  
AMERICAN ELECTRIC POWER REQUEST  
FOR RIGHT-OF-WAY EASEMENT  
MOTOR MILE PARK**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the conveyance of a right-of-way easement across property owned by Montgomery County located at the Motor Mile Park off Tyler Road, Radford, Virginia to provide electrical service for the ball field lighting.

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors is hereby authorized to execute the above referenced right-of-way easement to American Electric Power on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Authorize the conveyance of a right-of-way easement to AEP.

JUSTIFICATION: AEP has requested conveyance of an easement in order to provide electrical services for the ball field lighting at the Motor Mile Park. A public hearing was held earlier tonight.

**XII. NEW BUSINESS**

**A. SUBJECT: PROCLAMATION – “TAKE BACK THE  
NIGHT” RALLY AND MARCH**

**R-FY-08-  
PROCLAMATION  
TAKE BACK THE NIGHT  
RALLY AND MARCH**

*WHEREAS*, The first *Take Back the Night* event was held in Germany in 1973 in response to a series of sexual assaults, rapes, and murders; and

*WHEREAS*, Five years later in the United States, a *Take Back the Night* march was held in San Francisco where over 5,000 women from 30 states participated; and

**WHEREAS**, Since then, marches have been held throughout the U.S., Canada, Latin America, India, and Europe; and

**WHEREAS**, *Take Back the Night* marches have been held in Richmond and Charlottesville, and at Hollins University, Radford University, Roanoke College, and Virginia Tech; and

**WHEREAS**, Marchers have called attention to violence against women—sexual harassment, misogyny, rape, and murder; this violence affects both individuals in the community and the community as a whole; and

**WHEREAS**, The nineteenth annual *Take Back the Night* Rally and March will be held Thursday, March 27, 2008 beginning at 7:00 p.m. on the Drillfield in front of the chapel at Virginia Tech to bring our community together to protest violence against women and to promote awareness of attitudes, beliefs, and behaviors which perpetuate this violence.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of Montgomery County, Virginia supports the nineteenth annual *Take Back the Night* event which is part of Women's Month 2008.

### **XIII. COUNTY ATTORNEY'S REPORT**

### **XIV. COUNTY ADMINISTRATOR'S REPORT**

### **XV. BOARD MEMBERS' REPORT**

1. Supervisor Biggs
2. Supervisor Brown
3. Supervisor Marrs
4. Supervisor Creed
5. Supervisor Politis
6. Supervisor Muffo
7. Supervisor Perkins

**XVI. OTHER BUSINESS**

**XVII. ADJOURNMENT**

**FUTURE MEETINGS**

Special Meeting  
Proposed FY 08-09 Budget Public Hearing  
**Thursday, March 27, 2008**  
**7:15 p.m.**

Regular Meeting  
Monday, April 14, 2008  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda

Adjourned Meeting  
Monday, April 28, 2008  
6:00 p.m. – Closed Meeting Items  
7:15 p.m. Regular Agenda