

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14<sup>th</sup> DAY OF APRIL 2008, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	Doug Marrs	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	John A. Muffo	
	James D. Politis (arrived 7:15 p.m.)	
	B. Clayton Goodman, III (left 7:15 p.m.)	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Angie Hill	-Financial & Management Services Director
	Karen Edmonds	-Human Resources Director
	Marc Mcgruder	-Budget Manager
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by William H. Brown, seconded by Gary D. Creed and carried unanimously,

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

- Section 2.2-3711                      (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 Project

- (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. Norfolk Southern Intermodal Facility

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Gary D. Creed	None	James D. Politis
William H. Brown		
Doug Marrs		
John A. Muffo		
Mary W. Biggs		
Annette S. Perkins		

**OUT OF CLOSED MEETING**

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

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

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
William H. Brown	None	James D. Politis
Doug Marrs		
John A. Muffo		
Mary W. Biggs		
Gary D. Creed		
Annette S. Perkins		

Supervisor Politis arrived at 7:15 p.m.

## **CERTIFICATION OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

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**

Doug Marrs  
John A. Muffo  
Mary W. Biggs  
Gary D. Creed  
William H. Brown  
Annette S. Perkins

#### **NAYS**

None

#### **ABSTAIN**

James D. Politis

#### **ABSENT DURING VOTE**

None

#### **ABSENT DURING MEETING**

None

Supervisor Politis abstained due to being absent during the closed meeting session.

## **INVOCATION**

A Moment of Silence was lead by Chair Perkins. She asked everyone to reflect on the one year anniversary on the tragic shooting on April 16, 2007 at Virginia Tech.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **DELEGATIONS**

### **Metropolitan Planning Organization (MPO) – Route 460 Corridor Connector Study**

Dan Brugh, Executive Director of the MPO, provided an update on the Route 460 Corridor Connector Study. The Route 460 Corridor Connector Study was performed to assess the need for an east-west roadway extending from the Route 460 Bypass in the vicinity of Southgate Drive to Prices Fork Road south of the community of Prices Fork, and to establish a future planning corridor for the roadway. Establishing a planning corridor will allow Montgomery County and the Town of Blacksburg to preserve rights-of-way for a future roadway, and will provide overall guidance for transportation and land use planning in the region.

Mr. Brugh reported the final public hearing was held on March 19, 2008 with 42 people in attendance. A total of four verbal comments and 15 written comments were received. The majority were in support of the project, some were opposed to the additional connection at Southgate Drive and expressed concern that the project would add additional traffic to Southgate Drive, and a few did not support the project.

The MPO Technical Advisory Committee reviewed the final comments and options were narrowed to a single route, with the option for an alternative to the Route 460 Bypass. The proposed corridor extends from Prices Fork Road in the vicinity of Coal Hollow Road to the Route 460 Bypass approximately 1 mile south of Southgate Drive. The proposed roadway would incorporate the following features:

- Construct as a parkway-type facility with posted speed limit of 45 miles per hour. Access would be controlled, with connections to the local roadway system proposed at the following six locations (designated with open circles in Exhibit ES-1):
  - Prices Fork Road (western terminus of the proposed roadway)
  - Thomas Lane
  - Sandy Circle
  - Merrimac Road
  - Connection to the Warm Hearth community
  - Route 460 Bypass (eastern terminus)

- Incorporate a separate multi-purpose (walking and bicycling) trail along the entire length of the proposed roadway. East of Merrimac Road, the proposed roadway would also include a bicycle lane in each direction adjacent to the roadway travel lanes.
- From Prices Fork Road to east of Tall Oaks Drive, the proposed roadway would be constructed as a two-lane undivided roadway with sufficient right-of-way purchased to allow for widening to four-lanes divided when needed. From east of Tall Oaks Drive to the Route 460 Bypass, the roadway would be constructed as a four-lane divided parkway. The total estimated right-of-way width for the roadway corridor would be approximately 130 feet (note that the impact analysis for this study used 200 feet – this provides for worse-case analysis and allows for shifting of the final alignment within the 200 foot planning corridor).

A decision by Virginia Tech about a preferred connection into the Virginia Tech Campus and the Virginia Tech Corporate Research Center is pending, and the ultimate location of the connection also clearly affects the placement of the project's eastern terminus at the Route 460 Bypass.

The total estimated cost, including right-of-way, for the final recommendation is \$79.96 million. The shortest option for an alternative alignment (one that connects directly to existing Southgate Drive as shown in the pink line) is estimated to cost \$73.44 million. These are planning-level estimates and are subject to change based on further study and refinement.

At this point, no funding has been identified for the project. Should funding be identified and the project identified as a priority, additional follow-on activities could include location studies, design, right-of-way acquisition, and construction. Public involvement is a key component of each of these project development activities and alignment details are subject to change based on environmental and engineering considerations, as well as ongoing public input.

### **Virginia Department of Transportation**

David Clarke, VDOT Residency Administrator, updated the Board of Supervisors on road issues/concerns in Montgomery County. Mr. Clarke also reported that the State's transportation funding will be reduced by 44% state-wide. This will effect the funding for secondary roads and primary roads.

Supervisor Creed asked for an update regarding Mt. Pleasant Road. Mr. Clarke replied that VDOT is working on a right-of-way issue, which is delaying the project. Also, he suggested that the project be amended to delete replacing the bridge. This would reduce the cost and move the project forward. VDOT could allocate \$300,000 of the original funding appropriated for the Mt. Pleasant Road bridge project and do maintenance work only, which will extend the life of the bridge.

Supervisor Creed asked what would the remaining money be used for? Mr. Clarke at this time did not know the answer to this question but will find out. Supervisor Creed also requested Mr. Clarke to forward him the information on how much right-of-way is needed and where and he could try to help get this issue resolved.

The Assistant County Administrator asked Mr. Clarke to update the Board on the upcoming public hearing for the Six-Year Road Improvement Plan for Interstate and Primary Roads.

Mr. Clarke stated that in the past the Commonwealth Transportation Board held public hearings in each district on the Six-Year Road Improvement Plan for Interstate and Primary Roads. This year they have scheduled only two public hearings state-wide. The first hearing will be held in Lynchburg on Wednesday, April 16, 2008 and the second will be held in Bristol on Monday, April 21, 2008.

## **PUBLIC ADDRESS**

Erin Bull, Vice-President of Montgomery County Education Association, spoke in support of the proposed FY 08-09 Budget. Ms. Bull urged the Board to invest in the future of Montgomery County and help provide the children with a good education and safe environment. She stated education and public safety is under-funded and we need to consider the proposed tax increase as an investment, not an increase.

Steve Bull addressed the Board in support of the proposed budget and real estate tax increase. Mr. Bull has been a teacher for 35 years and the last significant salary increase was during Governor Chuck Robb's administration. He addressed the issue of low wages for teachers in Montgomery County. He urged the Board to do what is best for the children.

Richard Workman spoke in opposition to any real estate tax increase. He believes the Board did not listen to the citizens of Montgomery County who spoke at the public hearing opposing a tax increase. An eight cent real estate tax increase will put a tremendous stress on the community, as many are already making sacrifices in order to purchase food and gas. He requested that the Board look hard at the School Board budget as they make up over 60% of the entire budget. He also requested the Board to take into consideration citizens' requests to get an independent consultant to review the budget and find ways to save money.

Joyce Jewel spoke in opposition to the real estate tax increase. Ms. Jewel stated that the older citizens will not be able to afford an increase in real estate taxes as most are on a fixed income and barely afford food, fuel and utilities. Ms. Jewel also thanked the Board for their support in opposing the proposed Intermodal Facility.

Richard Rittenhouse addressed the Board regarding the proposed Norfolk Southern Intermodal Facility in Elliston. He appreciates the Board of Supervisors efforts and their continued opposition to the facility. He asked the Board to reconsider supporting the ordinance submitted by the Citizens for the Preservation of Our Countryside in order to have the power to fight eminent domain.

Steve Fajalkowski spoke in opposition to the proposed real estate tax increase. Mr. Fajalkowski believes now is not the time to increase the real estate tax rate. He commented that the State government is asking agencies to cut their budget and believes that the County should do the same.

W. Atkinson spoke in opposition to the proposed real estate tax increase. Mr. Atkinson questioned increases in the budget such as the need for School Resource Officers, additional dispatchers in the Sheriff's Office, additional funding for the Sheriff's Office when outsourcing inmates, and Munis Online.

Ray Epperly encouraged the Board to eliminate or reduce the proposed 12 cent real estate tax increase. Mr. Epperly believes the County has legitimate needs but limit the tax increase to 1-3%. He stated that his rental income only made \$93 in profit last year and he can not afford a real estate tax increase.

Joe Ivers, newly elected School Board member, spoke in support of the proposed budget and real estate tax increase. Mr. Ivers stated he moved to Montgomery County because the taxes were low; however, he finds it appalling that some school employees are living at poverty level. There is a silent majority of citizens who agree that teachers need a salary increase. He urged the Board to listen to constituents and don't cut the budget.

Fran Forstadt spoke in opposition to the proposed Intermodal Facility in Elliston. Ms. Forstadt appreciates all the Board's support in opposing the facility. She urged the Board to re-consider adopting the ordinance submitted by citizens in opposition to the facility and help take opposition to the next level.

Dan Burroughs spoke in opposition to the proposed Intermodal Facility in Elliston. Mr. Burroughs stated that the state of Virginia is willing to spend \$40-\$50 million of taxpayers money for the development of an intermodal facility to a private corporation, which is a billion dollar company. He believes this to be a case of corporate assault. Big businesses have more rights than people. He urged the Board to put the control of the future back in the hands of the localities and asked them to adopt an ordinance prohibiting big businesses from using eminent domain.

Joy Burroughs spoke in opposition to the proposed Intermodal Facility in Elliston. Ms. Burroughs thanked the Board for all they have done in the past to help stop the intermodal facility. She urged the Board to re-consider adopting the ordinance on eminent domain. Ms. Burroughs also believes the State is pouring salt in the wound by proposing to allocate \$15 million to improve Coal Hollow Road.

Phyllis Albritton spoke in support of the proposed budget and real estate tax increase. She stated that teachers today are challenged by a diverse community and are underpaid. Ms. Albritton also urged the Board to pursue whatever needs to be done to stop the intermodal port in Elliston.

Chuck Richards addressed the Board regarding the proposed budget and real estate tax rate. Mr. Richards believes that the County needs to invest in the children but also needs to balance the budget. He believes the Board needs to eliminate “wish list” items from the budget.

Charlie Bowles expressed concerns with the proposed real estate tax rate increase. Mr. Bowles believes the County needs to spend money appropriately. He feels that the County does not need a new courthouse and the only reason the County feels they need a grandiose building is because of Virginia Tech. Mr. Bowles stated that Virginia Tech does not pay taxes and the County needs to figure out how to get them to pay just a small portion. He also expressed concern with the vacant school buildings in the County and suggested the School Board move their offices into one of the vacant schools. Mr. Bowles stated that the older citizens of Montgomery County don't have the money to pay more taxes.

Wendell Jones, School Board Chair and parent of three children, spoke in support of a real estate tax increase. Mr. Jones adamantly spoke in support of the School Resource Officers. He stated that you can't put a price tag on one life saved by having the SRO's in the schools. Mr. Jones addressed the need for funding for salary increases, not just for teachers but all the employees. Teachers are ranked 10<sup>th</sup> in the local ranking and custodians make below poverty level. He stated that many children only get one meal a day, which is served at school. They come to school to get warm, and there are some who don't want to go home. Mr. Jones finds it appalling that the State of Virginia spends more on one prisoner per year than we spend on our school system. In closing, Mr. Jones stated Montgomery County has to remain competitive with other localities and that their budget request is not a wish list but mandatory, as education is expensive. He urged the Board to adopt the 12 ¢ real estate tax increase.

Justin Blankenship spoke in opposition to the proposed Norfolk Southern Intermodal Facility in Elliston. Mr. Blankenship owns 65 acres in this area and he would hate to see what will happen if this area is developed industrial.

Meredith Hoback spoke in opposition to the proposed Norfolk Southern Intermodal Facility in Elliston. Ms. Hoback wishes there was something the County could do to stop this facility from being built in Montgomery County. She does not understand why Norfolk Southern is pushing this facility in Elliston when the County is in opposition.

The following letter dated April 11, 2008 from Harold G. Shelton was entered into record in opposition to the proposed real estate tax increase:

“ Supervisors of Montgomery County,

Those Concerned:

This country is in a recession. All one has to do is to look at any newspaper to realize this is true. Energy prices and food prices are up. Housing prices are down. People are losing their jobs and are struggling to pay their bills. Many are cutting back on purchasing and further hurting the economy. Montgomery County is now trying to increase property taxes by an

outrageous amount. I do not support this tax increase. The County needs to cut spending. I would suggest cutting twenty million dollars from the already bloated school budget.

Sincerely,  
Harold G. Shelton”

There being no further speakers, the public address session was closed.

### **CONSENT AGENDA**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Consent Agenda dated April 14, 2008 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
John A. Muffo	
Mary W. Biggs	
Gary D. Creed	
William H. Brown	
Doug Marrs	
Annette S. Perkins	

### **Approval of Minutes**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Minutes dated February 11, February 18, February 25, 2008 and March 8, 2008 were approved.

**R-FY-08-145  
USDA GRANT  
IN CAR CAMERAS  
SHERIFF’S DEPARTMENT**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT HEREBY RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that, in order to facilitate obtaining financial assistance from the United States of America, acting by and through the Rural Housing Service, an agency of the United States Department of Agriculture, (the Government) in the development of in car cameras for the Sheriff’s Department to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED, That the County Administrator of Montgomery County is authorized to execute on behalf of Montgomery County the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution is hereby entered into the permanent minutes of the meetings of this Board.

**A-FY-08-88**  
**COMMONWEALTH'S ATTORNEY**  
**DOMESTIC VIOLENCE VICTIM GRANT**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

201	Commonwealth's Attorney Grants	\$40,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02201-424401	Domestic Violence Victim Grant	\$40,000

Said resolution appropriates the Domestic Violence Victim Grant funds.

**A-FY-08-89**  
**FIRE & RESCUE CAPITAL**  
**RECOVERED COSTS**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

330	Fire and Rescue Capital Reserve	\$1,135
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$1,135

Said resolution appropriates funds received as recovered costs.

**A-FY-08-90**  
**FAIRVIEW DISTRICT HOME**  
**SUPPLEMENTAL APPROPRIATION**

On a motion by Mary W. Biggs, seconded by Doug Marrs 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, 2008, for the function and in the amount as follows:

910	Fairview District Home	\$1,210
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The source of the funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$1,210
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Said resolution appropriates Undesignated Fund Balance to cover the County's remaining portion of the cost of a backup generator as required by the state.

**A-FY-08-91**  
**FOUR FOR LIFE ALLOCATION**

On a motion by Mary W. Biggs, seconded by Doug Marrs 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, 2008, for the function and in the amount as follows:

331	Fire and Rescue Grants-Four for Life	\$43,610
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
23312-424401	Four for Life	\$43,610

Said resolution appropriates funds received from the Four for Life program for use by volunteer Rescue Squads.

**A-FY-08-92  
SOCIAL SERVICES  
SUPPLEMENTAL APPROPRIATIONS  
AND TRANSFER FROM SPECIAL CONTINGENCIES  
PUBLIC ASSISTANCE**

On a motion by Mary W. Biggs, seconded by Doug Marrs 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, 2008, for the function and in the amount as follows:

540	Social Services	\$123,632
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
24104 803	Auxiliary Grants	\$16,000
424104 812	IV-E Adoption Subsidy	\$ 60,000
424105 866	Safe and Stable Families	\$ 2,632
424105 871	View Working and Transitional Daycare	<u>\$ 45,000</u>
	Total	\$123,632

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

FROM:

960	Special Contingencies – Public Assistance	(\$9,483)
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TO:

540	Social Services	\$9,483
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Said resolution appropriates additional state funding for Auxiliary Grants, IV-E Adoption Subsidy, Safe and Stable Families and View Working and Transitional Daycare, as well as transfers the local match for Auxiliary Grants, Safe and Stable Families, and View Working and Transitional Daycare.

**A-FY-08-93**  
**SHERIFF**  
**GRANT APPROPRIATION**  
**USDA GRANT – IN-CAR CAMERAS**

On a motion by Mary W. Biggs, seconded by Doug Marrs 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, 2008 for the function and in the amount as follows:

321 Sheriff Grants	\$68,728
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
434401 Federal Grants	\$40,200
451202 Undesignated Fund Balance	<u>\$28,528</u>
	\$68,728

Said resolution appropriates USDA Grant funds and the required local match for the purchase of in car cameras for the Sheriff's office.

**OLD BUSINESS**

**R-FY-08-146**  
**SIX-YEAR SECONDARY ROAD**  
**IMPROVEMENT PLAN**

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia, in cooperation with representatives of the Virginia Department of Transportation, have prepared a proposed Six-Year Plan for Montgomery County listing improvements proposed on the State Secondary Highway System in Montgomery County for which funds are to be budgeted in fiscal years 2009-2014; and

WHEREAS, A duly advertised public hearing was conducted at the Montgomery County Government Center in Christiansburg, Virginia at 7:15 p.m. on Monday, February 11, 2008 for the purpose of informing interested citizens of the proposed Six-Year Plan for soliciting public input into the planning process in accordance with Section 33.1-70.01 of the Code of Virginia of 1950, as amended; and

WHEREAS, This Board has given due consideration to such input and other factors pertaining to improvements of the State Secondary Highway System in Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby approves the aforementioned Six-Year Plan for Improvement of the State Secondary Highway System in Montgomery County for fiscal years 2009-2014, listed below as Exhibit "A" and dated January 14, 2008.

BE IT FURTHER RESOLVED, That adoption of this plan also establishes priorities for preparation of the annual budget for the fiscal year 2008-2009 by the Virginia Department of Transportation Residency Administrator.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
Gary D. Creed	
William H. Brown	
Doug Marrs	
James D. Politis	
Annette S. Perkins	

**Exhibit A**

1/14/2008

**MONTGOMERY COUNTY**  
**DRAFT Secondary Six Year Plan**  
**(2008/09 through 2013/14)**

<u>Priority</u>	<u>Route #</u>	<u>Road Name</u>	<u>From: To:</u>	<u>Description</u>
0	VAR	VAR	----	Countywide
1	639	Mt. Pleasant Road	From 0.78 mi. W. Rte. 637 to 0.03 mi. W. Rte. 637	Reconstruct
2	639	Mt. Pleasant Road	From 0.05 mi. W. Rte. 722 to 1.24 mi. E. Rte. 722	Reconstruct
3	606	Sidney Church Road	From Rte. 669 to Rte. 673	Reconstruct
4	677	Dobbins Hollow Road	From Rte. 617 to Rte. 615	Reconstruct
5	643	Yellow Sulphur Road	From 1.0 mi. N. C'Burg to Rte. 642	Reconstruct
6	621	Craig Creek Road	From 7.5 mi. E. Rte. 460 to Craig Co. Line	Reconstruct
7	600	Piney Woods Road	From Rte. 787 to Rte. 672	Reconstruct
8	VAR	VAR	Plant Mix Federal Aid Routes	Plant Mix
9	VAR	VAR	Unobligated Federal Funds	Reconstruct

## **NEW BUSINESS**

### **RESOLUTION SETTING THE REAL ESTATE TAX RATE**

The Assistant County Administrator provided additional information on the budget regarding a 9 cent increase (Plan A) and an 8 cent increase (Plan B). The goal of each plan is to fund one time items through the windfall and maximize the dollars to salary plans for the County and Schools. By utilizing the windfall for additional items, dollars will be available for the salary plans to cover two options: Plan A – an overall average salary increase of 6.2% and Plan B – an overall average salary increase of 5.5%.

Plan A would reduce the budget by \$1,970,565 and Plan B would reduce the budget by \$2,627,510. Both plans include using the projected windfall funding to cover one time expenses such as the joinder study, roads, waste containers, gypsy moth, and the Sheriff's in-car mobile data terminals. Funding from the projected windfall will also add dollars to fire and rescue for equipment replacement, create a rainy day fund, and create a fuel reserve.

Board members each addressed concerns regarding the needs of the County and how they felt regarding a real estate tax increase.

#### **Statement of No Conflict of Interest**

Supervisor Biggs stated for the record that she does not have a conflict of interest in dealing with the budget or the tax rate. She is a member of the Board of Supervisors and the Board appropriates money to the School Board, which does employ her, and the School Board is in charge of setting their budget, salaries, and etc.

Chair Perkins stated for the record that she does not have a conflict of interest. She will be retired as of June 30, 2008 from the Montgomery County School System.

#### **Motion # 1 – 72 ¢ Real Estate Tax Rate – 9 Cent Increase – Motion was Defeated**

Supervisor Mary W. Biggs made a motion, seconded by John A. Muffo to adopt the real estate tax rate at 72 ¢ for 2008.

The vote on the foregoing motion was as follows:

#### **AYE**

Mary W. Biggs  
John A. Muffo  
Annette S. Perkins

#### **NAY**

William H. Brown  
James D. Politis  
Doug Marrs  
Gary D. Creed

**Motion was defeated.**

**Motion #2 - 71¢ Real Estate Tax Rate – 8 Cent Increase**

**R-FY-08-147  
RESOLUTION SETTING THE  
REAL ESTATE TAX RATE**

On a motion by Gary D. Creed, seconded by James D. Politis and carried,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby sets the real estate tax rate at **71 ¢** Per \$100 of the assessed valuation of real estate based on 100% of fair market value.

BE IT FURTHER RESOLVED, That the Commissioner of Revenue of Montgomery County, Virginia be, and she is hereby ordered to levy, beginning January 1, 2008 and ending December 31, 2008 the sum of **71 ¢** Per \$100 of the assessed valuation of real estate based on 100% of fair market value.

FURTHER, The Commissioner of Revenue is instructed to levy for said period other property taxes as follows:

<u>Category</u>	<u>Tax Rate Per \$100 of Assessed Valuation</u>
Tangible Personal Property	\$2.45
Machinery and Tools	\$1.82
Merchants Capital	\$3.05

FURTHER, That the Treasurer of Montgomery County, Virginia is hereby directed to collect the taxes so assessed, and the Clerk of the Board shall forward a copy of this order to said Commissioner of Revenue and the Treasurer.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	Mary W. Biggs
William H. Brown	John A. Muffo
James D. Politis	Annette S. Perkins
Doug Marrs	

**R-FY-08-148**  
**TABLED RESOLUTION TO**  
**ADOPT THE FY 2008-2009 BUDGET**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Annual Budget for Fiscal Year 2008-2009 is hereby TABLED until the April 28, 2008 meeting.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

**R-FY-08-149**  
**RESOLUTION SUPPORTING WESTERN VIRGINIA**  
**REGIONAL JAIL AUTHORITY'S**  
**REQUEST TO APPROVE VRS BENEFITS**  
**FOR EMPLOYEES OF THE WESTERN**  
**VIRGINIA REGIONAL JAIL**

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

WHEREAS, Montgomery County, Virginia is a member of the Western Virginia Regional Jail Authority; and

WHEREAS, The Western Virginia Regional Jail Authority recently passed resolutions to (a) join the Virginia Retirement System, including group life insurance and the Section 138 coverage, (b) provide the optional increased retirement multiplier for Section 138 covered employees, and (c) the optional health insurance credit (for up to \$45/month benefit); and

WHEREAS, Virginia law requires the members of an authority to adopt a resolution concurring with and supporting an authority's adoption of resolutions.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors concurs with and supports the adoption by the Western Virginia Regional Jail Authority of the three resolutions, namely the resolution to join VRS for basic coverage, Section 138 coverage, and group and life insurance; and the resolution to provide optional increased retirement multiplier of 1.85 percent for Section 138 covered employees; and the resolution to provide optional health insurance credit.

This resolution shall be effective from and after the date of its adoption.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Doug Marrs	
Annette S. Perkins	

**R-FY-08-150  
PROCLAMATION  
NATIONAL LIBRARY WEEK 2008  
April 13-19, 2008**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

**WHEREAS**, Our nation's school, academic, public and special libraries make a difference in the lives of millions of Americans, today, more than ever; and

**WHEREAS**, Librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in the 21st century; and

**WHEREAS**, Libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and

**WHEREAS**, Library use is up nationwide among all types of library users, continuing a decade-long trend; and

**WHEREAS**, Libraries play a vital role in supporting the quality of life in their communities; and

**WHEREAS**, Our library, the Montgomery-Floyd Regional Library, can help you discover a world of knowledge, both in person and online, as well as personal service and assistance in finding what you need, when you need it; and

**WHEREAS**, Libraries are a key player in the national discourse on intellectual freedom, equity of access, and narrowing the “digital divide”; and

**WHEREAS**, Libraries, librarians, library workers and supporters across America are celebrating National Library Week with The Campaign for America’s Libraries.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of the County of Montgomery, Virginia hereby proclaims National Library Week, April 13-19, 2008 and encourages all residents to visit the Montgomery-Floyd Regional Library this week to take advantage of the wonderful library resources available and thank their librarians and library workers for making information accessible to all who walk through the library’s doors. Join the circle of knowledge at your local library.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
John A. Muffo	
James D. Politis	
Doug Marrs	
Mary W. Biggs	
Annette S. Perkins	

## **COUNTY ADMINISTRATOR’S REPORT**

### **FY 2009-2014 Six Year Improvement Program for Interstate and Primary Roads**

The Assistant County Administrator reported the Commonwealth Transportation Board (CTB) will be holding two public hearings in April 2008 to present the FY 2009-2014 Draft Six-Year Improvement Program for Interstate and Primary Roads. One meeting is scheduled in Lynchburg and the other in Bristol. No meeting is scheduled in the Salem District this year.

The Assistant County Administrator stated at their October 9, 2007 meeting, the Board adopted a resolution with their comments and presented to the CTB at its first public hearing for the FY 2009-2014 Draft Six-Year Improvement Program for Interstate and Primary Roads. She recommended that the resolution be sent again as the County’s comments, since no changes have been made and attendance at the hearing is not necessary.

The Board agreed to send their October 9, 2007 resolution again.

**R-FY-08-151**  
**FY 2009-2014 SIX-YEAR IMPROVEMENT PROGRAM**  
**FOR INTERSTATE AND PRIMARY ROADS**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, On October 9, 2007, the Board of Supervisors adopted a resolution for the FY 2009-2014 Six-Year Improvement Program for Interstate and Primary Roads; and

WHEREAS, This resolution was presented to the Commonwealth Transportation Board (CTB) at it's Preallocation Hearing on October 24, 2007; and

WHEREAS, The CTB will hold six public hearings statewide in April and May 2008 to receive comments on the draft FY 2009-2014 Six-Year Improvement Program for Interstate and Primary Roads; and

WHEREAS, The Board of Supervisors has no changes to the October 9, 2007 resolution and requested it be forwarded to the CTB.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board's Resolution dated October 9, 2007 be forwarded to the Commonwealth Transportation Board as the Board's comments on the FY 2009-2014 Six-Year Improvement Program for Interstate and Primary Roads.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

**BOARD MEMBERS' REPORTS**

Supervisor Creed reported on the Old Blacksburg Middle School National Design Competition. A timeline was provided to the Board of Supervisors with the process beginning March/April 2008 and presenting the Project Award by May 2009.

Supervisor Biggs submitted information from the School Board and Library Board meetings to be distributed to the Board members.

Supervisor Biggs provided additional comments and concerns regarding the budget as follows:

- Tax Relief for the Elderly and Disabled – Supervisor Biggs asked if the County amended it's ordinance to allow the maximum relief allowed by the State for the elderly and disabled, how would this impact the County's revenue?
- When the Budget resolution is put back on the agenda for consideration, will there be different options to consider? She has concerns on how to compensate employees. She wants to make it clear that not everyone will get a 5.5 % increase, it is an average. Some employees may get a 3% increase while others may get as high as a 9% increase.

Supervisor Muffo reported he was on the interview panel for prospective candidates for the Community Services Board.

Supervisor Perkins thanked the County's Public Information Officer, Ruth Richey, for the information sent to the Board regarding the proposed Norfolk Southern Intermodal Facility.

Day of Remembrance VT Memorial Ceremony –Supervisor Perkins reminded everyone that a day of remembrance will be held at the Peace Sculpture, Montgomery County Government Center, 12:00 Noon, April 16, 2008 to remember the tragic shooting that occurred at Virginia Tech. A plaque will be constructed at the peace sculpture and there will be the ringing of the bell 32 times to honor the victims.

## **ADJOURNMENT**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Board adjourned to Monday, April 28, 2008.

The vote on the foregoing motion was as follows:

### **AYE**

Gary D. Creed  
John A. Muffo  
James D. Politis  
Doug Marrs  
Mary W. Biggs  
William H. Brown  
Annette S. Perkins

### **NAY**

None

The meeting adjourned at 9:40 p.m.

APPROVED: \_\_\_\_\_ ATTESTED: \_\_\_\_\_  
Annette S. Perkins B. Clayton Goodman, III  
Chair County Administrator