

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 12th DAY OF MARCH 2007, AT 6:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Steve L. Spradlin	-Chair
	Mary W. Biggs	-Vice Chair
	Doug Marrs	-Supervisors
	John A. Muffo	
	Annette S. Perkins	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Angie Hill	-Director of Financial Management
	Marc Mcgruder	-Budget Manager
	Karen Edmonds	-Human Resources Director
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Gary D. Creed	-Supervisors
	James D. Politis	

### **CALL TO ORDER**

The Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by Doug Marrs, seconded by Mary W. Biggs 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      (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. Adjustment and Appeals Board
  2. Workforce Investment Board (Local)

The vote on the foregoing motion was as follows:

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

### **OUT OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Doug Marrs 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>
Doug Marrs	None	Gary D. Creed
Mary W. Biggs		James D. Politis
Annette S. Perkins		
John A. Muffo		
Steve L. Spradlin		

### **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

Mary W. Biggs  
Annette S. Perkins  
John A. Muffo  
Doug Marrs  
Steve L. Spradlin

NAYS

None

ABSENT DURING VOTE

Gary D. Creed  
James D. Politis

ABSENT DURING MEETING

Gary D. Creed  
James D. Politis

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**DELEGATION**

**Virginia Department of Transportation**

David Clarke, VDOT Resident Administrator, provided an update on road issues in Montgomery County.

Revenue Sharing Projects:

Craig Creek Road (SR 621): Mr. Clarke reported that the revenue sharing money for Craig Creek Road (SR 621) has been received and they are proceeding with the environmental study and right-of-way process. He believes construction should begin within 6 months to widen several areas on this road.

Yellow Sulphur Road (SR 643): This project is finished under revenue sharing. They were able to widen several areas along this road.

Pollard Road (SR 644): VDOT is starting work on Pollard Road for spot widening.

Mr. Clarke also reported on the state transportation funding. It appears that the secondary funding for localities will be less than previously projected. Montgomery County may receive \$300,000 - \$400,000 less in FY 07/08. This does not take into account the transportation bill that is being considered by the General Assembly.

Supervisor Spradlin asked for an update on Stroubles Creek Road (SR 619), which is priority #1 on the Secondary Six Year Road Improvement Plan. Supervisor Spradlin stated there seems to be a discrepancy on the scope of service. He was under the impression that the project included grading and paving; however, the plan only shows spot widening.

Mr. Clarke explained that the scope of service is for spot widening only, no grading or paving is planned. The funds allocated for this project only allows for spot widening.

Supervisor Spradlin expressed concerns with only spot widening on Stroubles Creek Road. He recalls that this project did include grading, stabilizing, and paving of this road in the past and is concerned that this is being removed from the project. The project needs to include at least chip and seal on this road. Mr. Clarke will look into this matter.

## **PUBLIC HEARING**

Proposed Ordinance – Change the C-1 Precinct Polling Place

**Proposed Ordinance changing the C-1 Precinct Polling Place from the Shawsville Elementary School located at 4390 Riffe Street to the Meadowbrook Branch Public Library located at 267 Alleghany Springs Road.**

The County Attorney provided a brief summary on the above request. The Electoral Board has requested to move the C-1 Precinct Polling Place from the Shawsville Elementary School to the Meadowbrook Branch Public Library. This move will provide a more efficient place to hold elections in the future.

Randy Wertz, Registrar, and members of the Electoral Board were present to answer any questions.

There being no speakers, the public hearing was closed.

## **PUBLIC ADDRESS**

Mary Ann Hinshelwood and Bob Miller, representing the Montgomery-Floyd Regional Library Foundation, spoke in support of the Library. The Foundation was established to facilitate fundraising for major building projects, such as the Blacksburg Library renovation in 1995, the Meadowbrook Public Library in 2004, and the upcoming Jessie Peterman Memorial Library expansion. The Foundation will continue to seek contributions to help supplement federal, state and local funding. Ms. Hinshelwood expressed appreciation to the Board of Supervisors for their continued support for the library system and asked that they consider the Library's budget request for \$118,000 to purchase materials and books.

Judy Wells spoke in support of improvements to Piney Woods Road (SR 600). Ms. Wells is concerned with the condition of the road, which needs to be widened and paved. She asked that the Board approve the Six-Year Secondary Road Improvement Plan, which included Piney Woods Road. She asked that all residents who have attended the Board meeting in support of the improvements to Piney Woods Road stand, approximately 30 people stood in support.

Susan Blackburn spoke in opposition to paving Piney Woods Road (SR 600). Ms. Blackburn expressed concerns with development, increased traffic and increased speed of motorists if the road is paved. She asked that the road be improved in the least obstructive way possible and that the residents be kept informed of the plans. Ms. Blackburn requested copies of the environmental study, engineering study, and any other plans showing the improvements to the road.

Nick Rush addressed the Board on behalf of Forest Hills at Belview's request for Board support on their application to the Virginia Housing Development Authority for the allocation of federal housing tax credits. Mr. Rush explained that the Forest Hills housing development is estimated to be an \$8 million project and they can potentially receive \$4 million in tax credit if their application is approved. The tax credit will reduce the cost of the project and enable affordable housing to the community. This is not a government subsidized housing project. Mr. Rush appreciated the Board's support.

Wayne Cox spoke of the need for improvements to Piney Woods Road (SR 600). He stated that Piney Woods Road is in bad shape and he would appreciate their support in getting this road improved.

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

The County Administrator at this time explained that the County's Six-Year Secondary Road Improvement Plan does include funding for the reconstruction of Piney Woods Road (SR 600). He wanted to clarify that this is a \$2 million project and funding will be allocated over a three year period as follows:

FY 2007-08	\$600,000
FY 2008-09	\$630,000
FY 2009-10	\$325,000

VDOT will begin environmental review and engineering studies first and it will take at least three years before the road project will begin.

The County Administrator also explained that a portion of the federal funding will be used on Mt. Zion Road and McCoy Road to overlay existing pavement.

There are 120 unpaved roads in Montgomery County and is estimated to pave one mile at a cost \$1.5 million per mile.

**CONSENT AGENDA**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Consent Agenda dated March 12, 2007 was approved.

The vote on the foregoing motion was as follows:

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

**Approval of Minutes**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the minutes dated December 9, 2006 and December 11, 2006 were approved.

**A-FY-07-88  
GENERAL SERVICES  
ELECTRICAL SYSTEM STUDY FOR THE  
SHERIFF’S OFFICE**

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, 2007, for the function and in the amount as follows:

400	General Services	\$ 16,000
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
02- 451203	Undesignated Fund Balance	\$16,000

Said resolution appropriates fund balance to cover the cost of a study of the electrical system in the Sheriff’s office.

**A-FY-07-89**  
**COMMONWEALTH'S ATTORNEY**  
**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, 2007 for the function and in the amount as follows:

220	Commonwealth's Attorney	\$286
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419104	Confiscations	\$286

Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

**A-FY-07-90**  
**TREASURER**  
**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 appropriations for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

162	Treasurer	\$3,076
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The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>		
02 411605	DMV Stop Fees	\$3,020
02 416010	Warrant in Debt Fees	<u>56</u>
		\$3,076

Said resolution appropriates DMV Stop Fees and Warrant in Debt Fees collected to pay the associated fee to the DMV and Commonwealth of Virginia.

**A-FY-07-91**  
**SCHOOL OPERATING FUND**  
**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 School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007, for the function and in the amount as follows:

09	School Operating Fund	
	561000 Instruction	\$ 85,299
	563000 Transportation	18,003
	564000 Operations and Maintenance	<u>233,567</u>
	Total	\$336,869

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

Revenue Account:

State Revenue

424234	Homeless Grant	\$ 25,179
433211	Medicaid Reimbursement	10,584
433226	Title IID Grant	30,365
433233	Comprehensive School Reform	19,171
418910	Insurance Adjustments	18,003
418302	Universal Service Discounts	<u>233,567</u>
	Total	\$336,869

Said resolution appropriates additional funds from the various sources for FY 07.

**A-FY-07-92**  
**OFFICE ON YOUTH**  
**VJCCA GRANT ADJUSTMENT**

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, 2007, for the function and in the amount as follows:

520	Office on Youth	\$ 2,546
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

02- 451203 Undesignated Fund Balance \$2,546

Said resolution appropriates fund balance to reconcile the VJCCCA grant.

**R-FY-07-136  
ADDITION TO THE SECONDARY SYSTEM OF STATE HIGHWAYS  
CLOVERLEA DRIVE, CANTER DRIVE, AND BRIDLE LANE**

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

WHEREAS, The streets described below are shown on plats recorded in the Clerk’s Office of the Circuit Court of Montgomery County; and

WHEREAS, The representative for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Virginia Department of Transportation’s Subdivision Street Requirements.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Sec. 33.1-229, Code of Virginia, and the Department’s Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

ADDITION:

Name of Subdivision:

Cloverlea Subdivision

Name of Streets:

Length

**Cloverlea Drive (SR 1342)**

From: Rte. 8

To: Fairview Church Road (SR 669) .42 mi

Guarantee Right-of-Way: 60 feet

Date Recorded: 9/15/2004

Plat Book: P.B.24 Pg 372

**Canter Drive (SR 1343)**

From: Cloverlea Drive (SR 1342)

To: Cul-De-Sac .27 mi

Guarantee Right-of-Way: 50 feet

Date Recorded: 9-15-2004

Plat Book: P.B. 24 Pg.371

**Bridle Lane (SR 1344)**

From: Canter Drive (SR 1343) .15 mi  
To: Cul-De-Sac  
Guarantee Right-of-Way: 50 feet  
Date Recorded: 9-15-2004  
Plat Book: P.B. 24 Pg 371

BE IT FURTHER RESOLVED, This Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

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

**R-FY-07-137  
PARKS AND RECREATION COMMISSION  
APPOINTMENT**

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Craig Eddleton**, who resides in District B, to the Parks and Recreation Commission effective March 13, 2007 and expiring March 12, 2010.

**OLD BUSINESS**

**ORD-FY-07-24  
AN ORDINANCE AMENDING CHAPTER 7, SECTION 7-6  
OF THE MONTGOMERY COUNTY CODE ENTITLED PHYSICAL CONTACT  
WITH MEMBERS OF OPPOSITE SEX AT MASSAGE PARLORS BY  
ADDING LICENSED MASSAGE THERAPIST TO THE LIST OF PROFESSIONS  
THAT ARE EXEMPT UNDER THE PROVISION**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 7, Section 7-6 of the Code of the County of Montgomery, Virginia, shall be amended and re-ordained as follows:

**Sec. 7-6. Physical contact with members of opposite sex at massage parlors, etc.**

(a) It shall be unlawful for any person to operate any establishment, regardless of whether it is a public or private facility, as a massage salon, bath parlor or any similar type business, where any physical contact with the recipient of the services of such establishment is provided by a person of the opposite sex.

(b) This section shall not apply to a physician, surgeon, chiropractor, osteopath, ~~or~~ physical therapist or massage therapist duly licensed by the state or to a licensed nurse acting under the direct prescription and direction of any such physician, surgeon, chiropractor or osteopath. This section shall not apply to barbershops or cosmetology salon in which massage is given to the scalp, the face, the neck or the shoulders.

(c) Any person who shall violate the provisions of this section shall be guilty of a class 4 misdemeanor.

The vote on the foregoing ordinance was as follows:

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

**R-FY-07-138**  
**SIX-YEAR SECONDARY ROAD**  
**IMPROVEMENT PLAN**

On a motion by Doug Marrs, seconded by Mary W. Biggs 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 2008-2013; and

WHEREAS, A duly advertised public hearing was conducted at the Montgomery County Government Center in Christiansburg, Virginia at 7:15 p.m. on Wednesday, November 15, 2006 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 2008-2013, attached as Exhibit "A" and dated 3/5/2007.

BE IT FURTHER RESOLVED, That adoption of this plan also establishes priorities for preparation of the annual budget for the fiscal year 2007-2008 by the Virginia Department of Transportation Residency Administrator.

**EXHIBIT A**

**Montgomery County  
DRAFT Secondary Six Year Plan**

Priority	Route #	Road Name	From: To:	Description	Cost	Ad Date
0	VAR	VAR		Countywide	\$175,000	N/A
1	619	Stroubles Creek Road	From Rte 705 to 0.6 mi E Rte. 705	Spot Widening	\$300,000	3/07
2	644	Pollard Road	From Rte. 699 to Rte. 1430	Spot Widening	\$50,000	3/07
3	639	Mt. Pleasant Road	From 0.78 mi W Rte 637 to 0.03 mi W Rte 637	Gr., Dr., Stab. & P.M.	\$3,650,000	
4	639	Mt. Pleasant Road	From .05 mi W Rte 722 to 1.24 mil E Rte 722	Gr., Dr., Stab. & P.M.	\$3,650,000	
5	606	Sidney Church Rd	From Rte. 669 to Rte 673	Gr., Dr., Stab. & P.M.	\$832,000	
6	677	Dobbins Hollow Rd	From Rte. 617 to Rte 615	Gr., Dr., Stab. & P.M.	\$160,000	
7	643	Yellow Sulphur Rd	From 1.0 mi N. C'burg to Rte. 642	Gr., Dr., Stab. & P.M.	\$3,133,000	
8	621	Craig Creek Road	From 7.5 mi E Rte 460 to Craig Co. Line	Gr., Dr., Stab. & P.M.	\$3,415,000	
9	600	Piney Woods Rd (Fed)	From Rte. 787 to Rte. 672	Reconstruct	\$2,000,000	
10	655, 652	Overlay Federal Routes	Mt. Zion Road and McCoy Rd Sections as needed	Overlay with asphalt	\$400,000	

**NEW BUSINESS**

**R-FY-07-139  
A RESOLUTION AUTHORIZING THE APPROVAL  
OF THE TOURISM AND MARKETING SERVICES AGREEMENT  
BY AND BETWEEN THE COUNTY OF MONTGOMERY  
AND THE MONTGOMERY COUNTY CHAMBER OF COMMERCE  
AND VISITORS CENTER**

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby approves the Tourism and Marketing Services Agreement by and between the County of Montgomery and the Montgomery County Chamber of Commerce and Visitors Center.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby authorizes Clay Goodman, County Administrator to sign the said Agreement on behalf of the County.

The vote on the foregoing resolution was as follows:

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

**Discussion – Forest Hills at Belview – Application for VHDA Tax Credits**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Board opened the floor for discussion on the Forest Hills at Belview request for Board of Supervisors support for their application for federal housing tax credits.

The vote on the foregoing motion was as follows:

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

The County Administrator explained the developers for the Forest Hills at Belview development have requested a letter of support from the Board of Supervisors on their application to the Virginia Housing Authority for the allocation of federal housing tax credits. The Board's letter of support will provide additional points to the application. The project's business plan is partially based on the developer receiving federal tax credits to make the project financially viable.

The County Administrator also reported that the developers have requested Montgomery County's Industrial Development Authority (IDA) to act as a pass-through entity to assist with their application. Montgomery County does not have a Housing Authority to assist with this type of request. According to the County Attorney the IDA can act as a Housing Authority, at the Board of Supervisors direction.

Supervisor Muffo said that he does not believe the IDA needs to become a Housing Authority and if the County wants this then the County should establish a Housing Authority and focus on this request, not the IDA. This is a very specialized program and will distract the IDA from its purpose.

The Board discussed the issue and agreed that if the IDA acts as a Housing Authority for this project, policies and procedures must be in place. The County Attorney and County Administrator were directed to set up guidelines and procedures.

**R-FY-07-140**  
**FOREST HILLS AT BELVIEW**  
**REQUEST FOR BOARD OF SUPERVISORS SUPPORT**  
**FOR FEDERAL HOUSING TAX CREDITS**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby supports the Forest Hills at Belview application to the Virginia Housing Development Authority (VHDA) for the allocation of federal housing tax credits available under IRC Section 42 for the Forest Hills at Belview development.

BE IT FURTHER RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby authorize the County Administrator to forward a letter of support to VHDA advising them of the County's support for the development's application for federal tax credits because it will help the County to meet housing needs and priorities in Montgomery County.

The vote on the foregoing resolution was as follows:

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

**A-FY-07-93**  
**SCHOOL CAPITAL PROJECTS**  
**BETHEL SCHOOL PROPERTY**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

451201 Transfer to School Capital Projects	\$382,979
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

451205 Undesignated Fund Balance \$382,979

BE IT FURTHER RESOLVED, That the School Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

6600 Future School Projects \$382,979

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

Revenue Account

451100 Transfer from General Fund \$382,979

Said resolution appropriates funds from the General Fund to the School Capital Projects fund for future school projects. The funds represent the County’s share of the benefit of the ballfields to be constructed on the former Bethel school property. The funds cannot be expended in the School Capital Projects Fund without future Board of Supervisors approval.

The vote on the foregoing resolution was as follows:

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

**A-FY-07-94  
ECONOMIC DEVELOPMENT  
IDA REIMBURSEMENT**

On a motion by Mary W. Biggs, seconded by John A. Muffo 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, 2007, for the function and in the amount as follows:

810 Economic Development \$ 17,021

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

Revenue Account

2- 451203 Undesignated Fund Balance \$17,021

Said resolution appropriates fund balance to reimburse the IDA for costs they incurred related to the sale of the Bethel property.

The vote on the foregoing resolution was as follows:

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

**A-FY-07-95  
COUNTY CAPITAL PROJECTS  
FIRE AND RESCUE**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

451209	Transfer to County Capital Projects	\$500,000
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451205	Undesignated Fund Balance	\$500,000

BE IT FURTHER RESOLVED, That the County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2007 for the function and in the amount as follows:

330	Fire and Rescue	\$500,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451100	Transfer from General Fund	\$500,000

Said resolution appropriates funds from the General Fund to the County Capital Projects fund for fire and rescue equipment, as determined by the Fire and Rescue Commission.

The vote on the foregoing resolution was as follows:

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

**R-FY-07-141**  
**RESOLUTION OF APPRECIATION**  
**ROSALIE B. PAIGE**  
**ELECTORAL BOARD**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

***WHEREAS, Rosalie B. Paige*** served Montgomery County citizens as a member of the Montgomery County Electoral Board from March 1, 2001 until February 28, 2007; and

***WHEREAS,*** During her 6 years of service the total number of registered voters in Montgomery County has grown from 40, 572 in 2001 to 47,227 in 2007; and

***WHEREAS,*** The Board of Supervisors fully recognizes the hard work, dedication, wisdom, and outstanding leadership ***Rosalie B. Paige*** has demonstrated in her 6 years of service to the citizens of Montgomery County; and

***WHEREAS, Rosalie B. Paige*** assisted in the administration of 14 elections, changed numerous polling places to meet the needs of our citizens, and conducted election recounts; and

***WHEREAS, Rosalie B. Paige*** has attended various seminars and workshops sponsored by the State Board of Elections concerning law changes, conducting Officers of Election training, the impact to localities of the Help America Vote Act, the Voting Rights Act, handling of campaign expense reports and contributions, and many other issues relating to the electoral process; and

***WHEREAS, Rosalie B. Paige*** worked with the General Registrar, the Montgomery County Planning Department and the County Attorney with the redistricting in 2001 and oversaw all changes to precinct lines in Montgomery County and the notification of changes to the 42,000 registered voters.

***NOW, THEREFORE, BE IT RESOLVED,*** The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Rosalie B. Paige*** for her outstanding dedication to the citizens of Montgomery County.

**BE IT FURTHER RESOLVED**, That the original of this resolution be presented to **Rosalie B. Paige** and that a copy be made a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

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

**R-FY-07-142  
PROCLAMATION  
SOUTHWEST VIRGINIA  
FIREFIGHTERS ASSOCIATION DAYS**

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

**WHEREAS**, The 61<sup>ST</sup> Annual Convention of the Southwest Virginia Firefighters Association will be held at the Long-Shop McCoy Fire and Rescue Building on June 15 – 16, 2007; and

**WHEREAS**, The Long-Shop McCoy Fire Department is honored to serve as host of the convention; and

**WHEREAS**, The Board of Supervisors of Montgomery County has a long history of faithful support to the volunteers and extends their appreciation for the dedication of each of the departments within the County as well as to those agencies represented at this 61<sup>st</sup> Annual Convention; and

**WHEREAS**, The Board of Supervisors of Montgomery County, Virginia does hereby acknowledge the often heroic efforts of the volunteer firefighters throughout Virginia and offer our appreciation and gratitude.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of the County of Montgomery, Virginia hereby proclaims **June 15-16, 2007 as Southwest Virginia Firefighters Association Days**.

**BE IT FURTHER RESOLVED**, The Board extends a cordial welcome to all Southwest Virginia Firefighters and visitors to Montgomery County.

The vote on the foregoing resolution was as follows:

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

**R-FY-07-143  
PROCLAMATION  
TAKE BACK THE NIGHT  
RALLY AND MARCH**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

**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 in many 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 eighteenth annual *Take Back the Night* Rally and March will be held Thursday, March 29, 2007 beginning at 6:30 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 eighteenth annual *Take Back the Night* event, which is part of Women's Month 2007.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	Gary D. Creed
Annette S. Perkins		James D. Politis
John A. Muffo		
Doug MARR		
Steve L. Spradlin		

### **INTO WORK SESSION**

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

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

1. Presentation of the FY 2007-2008 Proposed Budget

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
John A. Muffo		James D. Politis
Doug MARR		
Mary W. Biggs		
Steve L. Spradlin		

### **FY 2007-2008 Proposed Budget**

The County Administrator presented the County's FY 2007-2008 Proposed Budget. The total budget is \$141.9 million, which is an increase of \$6.9 million over FY 07. The proposed real estate tax rate is 62 cents, a five cents increase, providing 2.5 cents (\$1.6 million) for school needs and 2.5 cents (\$1.6 million) for county needs.

County funding provided for the school system totals \$36.6 million. Combined with state and federal funding the schools operating budget totals \$89.5 million. Other school funds such as the school nutrition department, totals \$3.6 million. Additionally, 3 cents of the 62 cent tax rate is earmarked for new school construction, totaling \$1.9 million.

The County Administrator reported he is recommending a compensation plan for county employees in the FY 2007-08 proposed budget. A 5-5-1 plan is being proposed, an adjustment to the pay scale by 5%, 5% salary adjustment based on midpoint, and a 1% merit increase on the employee's anniversary date.

Last year, no market adjustments to the pay scale was made. Continued problems with staff recruitment and retention, particularly in the Sheriff's Office, show a need for a market adjustment.

The County Administrator reported that the proposed budget provides a minimal increase for vehicle replacement, three new positions, and fuel and utility increases.

Marc Mcgruder, Budget Manager for Montgomery County, presented information on the proposed budget regarding the revenue and expenditures. To fund the proposed budget requires a 62 cent tax rate. The value of one penny equals \$634,709.

Mr. Mcgruder explained the next steps include establishing the advertised real estate tax rate, holding a public hearing on the advertised rate and proposed budget, setting the real estate tax rate, and adopting the budget.

By consensus, the Board scheduled a budget work session for Monday, March 19, 2007 at 6:00 p.m.

### **OUT OF WORK SESSION**

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

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

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	Gary D. Creed
John A. Muffo		James D. Politis
Doug Marris		
Mary W. Biggs		
Steve L. Spradlin		

### **COUNTY ADMINISTRATOR'S REPORT**

#### **Smart Way Bus Service – Eastern Montgomery County**

Starting April 2, 2007, the Smart Way bus system will make four stops a day at the Meadowbrook Library located in Shawsville. The new bus service will run through Saturday, June 30, 2007. This service is being provided for a three month trial period to determine if there is enough community interest in using the bus service.

Notice of this service will be posted at the Meadowbrook Branch Library, on the County's web site, advertisements in the local paper, sent out to all citizens signed up to receive county e-news and public service announcements on public radio.

**BOARD MEMBERS' REPORTS**

**Supervisor MARRS** announced the League of Women Voters of Montgomery County will be hosting a breakfast meeting with the Board of Supervisors on March 20, 2007 at 7:30 a.m. at the Blacksburg Holiday Inn.

**Supervisor Biggs** reported the School Board will be scheduling a retreat in the Summer. At their last meeting they discussed capital projects and the need for air conditioning in the schools.

**No Open Burn Ban** : Supervisor Biggs asked if the US Forestry Department was notified of the County's decision to place a "No Open Burn Ban" countywide. The Forestry Department had scheduled a controlled burn, which they had to cancel due to the "No Open Burn Ban".

**Supervisor Spradlin** announced that the Long Shop/McCoy Fire Department is holding a fundraiser on March 24, 2007 to benefit the Fire Fighters Association's Annual Conference, which will be hosted by Long Shop/McCoy.

**ADJOURNMENT**

On a motion by Mary W. Biggs, seconded by Doug MARRS and carried unanimously, the Board adjourned to March 19, 2007 at 6:00 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Gary D. Creed
Doug MARRS		James D. Politis
Mary W. Biggs		
Annette S. Perkins		
Steve L. Spradlin		

The meeting adjourned at 10:05 p.m.

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Steve L. Spradlin B. Clayton Goodman, III  
Chair County Administrator