

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 22<sup>ND</sup> DAY OF JANUARY, 2001 AT 7:15 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	-Chair
	Larry N. Rush	-Vice Chairman
	John A. Muffo	-Supervisors
	Annette S. Perkins	
	James D. Politis	
	C.P. Shorter	
	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 Sandy	-Zoning Administrator
	Angela M. Hill	-Financial Management Services Director
	Robert C. Parker	-Public Information Officer
	Vickie L. Swinney	-Secretary

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Chairman called the meeting to order and the Pledge of Allegiance was recited.

### **PUBLIC HEARINGS**

#### **Rezoning Request and Special Use Permit**

**Charles E. Niedermayer request to rezone 1.0134 acres** (Tax Parcel No. 78-A-29) from Agriculture (A-1) to Community Business (CB), with possible proffered conditions, and a Special Use Permit to allow a Single Family Dwelling. Property is located at 1970 Dominion Drive in the Riner Magisterial District. The property lies in an area designated as Urban Expansion Area in the Comprehensive Plan.

Charles Niedermayer requested the Board of Supervisors to approve his request for rezoning and special use permit. Mr. Niedermayer stated he received a letter from the Town of Christiansburg saying they have no conflict with the rezoning request and special use permit. He also wanted to insure the neighbors that there will not be any increase in traffic. His carpet cleaning business has no on site work, therefore will not create any traffic. He only wants to have a small office and a place to store his vans which need to be

parked in a controlled environment. Mr. Niedermayer stated he has proffered to give up 32 of 35 zoning rights. This will allow him not to create any other types of business at this location.

Millie McPherson spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. McPherson stated that a business will have a negative impact on the Belmont Community and is concerned with the dumping of chemical waste in the ground. She stated that Dominion Drive is mostly residential and agricultural and not a place for a business.

Juanita Linkous spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. Linkous said she was alarmed at the size of the garage. She was under the assumption that Mr. Niedermayer was building a two bay garage. The garage is a three bay warehouse and does not conform with the neighborhood. Ms. Linkous stated she was opposed to a business being in a residential area.

William Linkous spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Linkous stated he was concerned with Mr. Niedermayer draining chemicals onto the ground from his garage. He said he did not know how this will affect the water. The building is right next to his front door, and it is not a private tow bay garage.

Linda Breeding spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. Breeding indicated that she is very upset over this whole ordeal. Mr. Niedermayer has built a huge warehouse, not a private garage as the building permit allowed for. She asked how this could have happened. Ms. Breeding also questioned how one could operate a business without all the proper permits and rezoning. She also was concerned with chemicals being discharged into the ground. Ms Breeding stated that the Mr. Niedermayer was not allowed to dump these chemical into the landfill.

JoAnn Saunders spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. Saunders stated that the Belmont Community was not a place for a business. She stated that the garage was a large warehouse building and not a private garage.

Michael Limbert spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Limbert thinks wrong to have a business in the location Mr. Niedermayer built his garage. He also agrees with all the previous speakers on the size of the garage that was built. One could see that this building was built for another purpose than a private garage. There are other garages in the neighborhood but they are built to look like homes, same height, and in conformance with the houses in the neighborhood.

Robert Linkous spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Linkous said that the size and use of Mr. Niedermayer's garage will diminish property values in the neighborhood. The garage is out of character with the type of houses and garage in Belmont Farms. He stated that Mr. Niedermayer is operating his business out of this garages without proper permits. He has his business listed in the Montgomery County phone book as 1970 Dominion Drive. Mr. Linkous also questioned the proper set backs and right-of-way for Mr. Niedermayer's garage.

Leo Stanger spoke in opposition to the Niedermayer rezoning request and special use permit. He agreed with all the other speakers that the garage has a negative impact on the neighborhood.

Mike Richardson spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Richardson questioned Mr. Niedermayer objectives. He believes that someone in business for ten years should know all the proper channels before constructing a new building.

Trish Richardson spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. Richardson expressed her concerns with chemical waste being dumped into the ground as stated by Mr. Niedermayer. If the county landfill refuses to accept this waste then there should be concerns with it being dumped in their neighborhood.

Connie Lowe spoke in opposition to the Niedermayer rezoning request and special use permit. Ms. Lowe stated that the garage is an eyesore to the community and the business will create more traffic on Route 114 and in their community.

Vincent Hanna spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Hanna objects to Mr. Niedermayer's continuing to ignore the County's notices to discontinue operating his business at Dominion Drive. Mr. Niedermayer has not been honest with the community, and Mr. Hanna would like to see the building torn down.

Clark Miller spoke in opposition to the Niedermayer rezoning request and special use permit. Mr. Miller stated he was in the construction business and questioned if the garage was built to the County Code. He also questioned the proper amount of right-of-way and set backs.

Larry Ross spoke in opposition to the Niedermayer rezoning request and special use permit.

Cindy Fitch spoke in support of the Niedermayer rezoning request and special use permit. Ms. Fitch believes the Belmont Community is overreacting. She read the concerns by the Planning Commission and believes Mr. Niedermayer has responded to those concerns. She stated that there are businesses located on the first mile and half on Route 114. Ms. Fitch pointed out that Montgomery County's comprehensive plan is fourteen years old.

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

#### Rezoning Request

**Montgomery County Planning Commission request to rezone 9.472 acres** from Agriculture (A-1) to Residential (R-1) with possible proffered conditions. Property is proposed Crozier Court Subdivision (Tax Parcels Nos. 59-2-6 & 7), located at 4692 Crozier Road, in the Shawsville Magisterial District. The property lies in an area designated as Agricultural in the Comprehensive Plan.

Gary Creed, developer for the proposed Crozier Court Subdivision, stated that this project has been ongoing for several years. Mr. Creed was available to answer questions from the Board.

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

#### Amendment to the Comprehensive Plan

**Montgomery County Planning Commission requests an amendment to the Comprehensive Plan** to change the land use designation for a portion of the John R. Crozier Estate Subdivision (Tax Parcel Nos. 59-2-1 through 7 & 59-2-9 through 11) from Agriculture to Urban Expansion.

There being no speakers, the public hearing was closed.

#### Montgomery County Zoning Ordinance Amendment

**Montgomery County Planning Commission is proposing technical revisions to Articles II, IV, V and VI of the Montgomery County Zoning Ordinance.**

There were no speakers, the public hearing was closed.

### **PUBLIC ADDRESS SESSION**

Chevella Russell spoke in support of the Alleghany Branch Library project on behalf of the citizens who live in Elliston and Shawsville. Ms. Russell stated that the eastern area of Montgomery County does not have a community library. Citizens in Elliston and Shawsville have to travel to Christiansburg or Blacksburg in order to use a public library. They would like for the children in this community to access to a public library. Ms. Russell submitted a petition with 1,322 names requesting the Board of Supervisors to consider funding the construction of a public library in Elliston.

Gary Harkrader requested the Board of Supervisors to consider listing the phone number of the Code Enforcer Officer in the Montgomery County phone book and to make available a 24 hour answering service or voice mail for citizens to call with concerns. Mr. Harkrader also complimented the Board for upgrading the County's webpage.

Dr. George Smith spoke in support for the Alleghany Branch Library project. Dr. Smith stated that the Elliston/Shawsville community has \$50,000 through fund raising and donations. The County did appropriate funding for an engineering study for the library. He stated that Eastern Montgomery County is growing and there is a urgent need for an community library. Dr. Smith asked the Board of Supervisors to consider appropriating funding for the Alleghany Branch Library.

## DELEGATION

### Executive Committee of Human Services Commission

The executive committee of the Human Services Commission, Patricia Edwards, Deborah Williams, Denise Ordham, Judy Arrington, Cindy Hamilton and Sharon Wood, presented an overview of human services and funding needs of the Human Services Commission. They urged the Board to consider funding all requests made by the Human Services Agencies to meet the needs of the citizens in Montgomery County.

## INTO WORK SESSION

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

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

### FY 2001-2002 Budget Status

1. School Board
2. County

### 2001 County Redistricting

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
C.P. Shorter	None	Larry N. Rush
James D. Politis		
Joe C. Stewart		
Annette S. Perkins		
John A. Muffo		
Mary W. Biggs		

### FY 2001-2002 Budget Status - School Board

School Superintendent Fred Morton presented the current draft budget proposal for the School Board's 2001-2002 operating budget. The draft proposal includes an average 8% compensation increase division-wide.

### FY 2001-2002 Budget Status - Montgomery County

Assistant County Administrator Carol Edmonds presented an overview of the County's proposed 2001-2002 budget. Ms. Edmonds stated there were several factors that will effect the County's budget,

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such as the effects of Governor Gilmore's proposed state budget, and estimates of revenues and expenses.

Redistricting

County Attorney Marty McMahon provided information about redistricting, which will be done this year based upon the results of the 2000 census. The County Attorney advised that the Board establish a redistricting committee and set forth policy guidelines and schedule.

**OUT OF WORK SESSION**

On a motion by Joe C. Stewart, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors hereby ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
C.P. Shorter	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
John A. Muffo	
Mary W. Biggs	

**CONSENT AGENDA**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously, the Consent Agenda dated January 22, 2001 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Joe C. Stewart	
Annette S. Perkins	
John A. Muffo	
Larry N. Rush	
C.P. Shorter	
Mary W. Biggs	

**Montgomery-Floyd Regional Library - Additional Appropriation**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart 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, 2001, for the function and in the amount as follows:

710	Regional Library	\$22,440
720	Floyd Library	<u>\$13,920</u>
	Total	\$36,360

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

Revenue Account

416150	Montgomery Library Savings	\$36,360
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Said resolution appropriates monies from the Library's savings accounts to pay for computer furniture for four computers in each branch, workroom furniture for all three branches, eBook readers for Montgomery, a phone system for Blacksburg, a phone system for Floyd, a staff computer for the Floyd Branch Services Coordinator, training, materials, and a Library of VA lobbyist.

**Sheriff-Grant Appropriation**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart 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, 2001, for the function and in the amount as follows:

321	Sheriff Grants	\$36,091
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	V-STOP Grant	\$36,091
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Said resolution appropriates monies from the State V-STOP Grant program.

**Brush Mountain West Phase 7 - Final Plat**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously,

WHEREAS, Brush Mountain West Phase 7 consists of 5 lots located off Brush Mountain Road (SR 777) and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, The Montgomery County Code, Section 8-156 provides that a subdivider shall make adequate provision for storm and floodwater runoff and that if a subdivision involves new streets, the Virginia Department of Transportation shall determine that adequate provision for runoff will be taken; and

WHEREAS, The Virginia Department of Transportation requires that Montgomery County assume maintenance responsibility and liability that might arise from detention facilities in subdivisions; and

WHEREAS, The Montgomery County Code, Section 8-157 provides for approval by the County of stormwater detention facilities conditioned upon agreement being entered into by the County and a homeowners association whereby the association assumes all liability for the maintenance and operation of the stormwater detention facilities; and

WHEREAS, The developer of Brush Mountain West Phase 7 has agreed that said responsibility shall be assumed by the homeowners association.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Brush Mountain West, Phase 7 (Draper Aden Associates Project No. 7557-01 dated October 5, 2000), Prices Fork Magisterial District.

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

Supervisor Perkins stated for the record that she opposed the Brush Mountain development from the beginning and she opposes all phases. She stated that the final plat must be approved because initial rezoning for the subdivision lots was approved years ago.

### **Heritage Place Subdivision Phase III - Final Plat**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously,

WHEREAS, Heritage Place Subdivision Phase III consists of 27 lots located off Mudpike (SR 666) and has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance); and

WHEREAS, The Montgomery County Code, Section 8-156 provides that a subdivider shall make adequate provision for storm and floodwater runoff and that if a subdivision involves new streets, the

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Virginia Department of Transportation shall determine that adequate provision for runoff will be taken; and

WHEREAS, The Virginia Department of Transportation requires that Montgomery County assume maintenance responsibility and liability that might arise from detention facilities in subdivisions; and

WHEREAS, The Montgomery County Code, Section 8-157 provides for approval by the County of stormwater detention facilities conditioned upon agreement being entered into by the County and a homeowners association whereby the association assumes all liability for the maintenance and operation of the stormwater detention facilities; and

WHEREAS, The developer of Heritage Place Subdivision Phase III has agreed that said responsibility shall be assumed by the homeowners association.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Final Plat of Heritage Place Subdivision, Phase III (Gay and Keese Job No. 861 dated 06/20/00 and last revised 10/23/00), Riner Magisterial District.

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

#### **Appointment - Visual Enhancement Committee of Christiansburg**

On a motion by Annette S. Perkins, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, The Montgomery County Board of Supervisors appoints **Jeffrey D. Johnson** as liaison to the Visual Enhancement Committee of Christiansburg effective January 23, 2001 and expiring December 31, 2001.

#### **NEW BUSINESS**

#### **Issuance of General Obligation Refunding Bonds, Series 2001**

On a motion by Larry N. Rush, seconded by C.P. Shorter and carried unanimously, the attached resolution authorizing the issuance of up to \$4,400,000 principal amount of general obligation refunding bonds of the County of Montgomery, Virginia, and providing for the form, details and payment thereof was adopted by a majority of the members of the Board of Supervisors by a roll call vote, the votes being recorded as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	

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Larry N. Rush  
C.P. Shorter  
James D. Politis  
Joe C. Stewart  
Mary W. Biggs

**Moral Obligation Agreement - ACT MicroDevices**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to enter into a Moral Obligation Agreement with Bank of America concerning the financing of the economic development project with ACT MicroDevices in the Blacksburg Industrial Park.

BE IT FURTHER RESOLVED, That Mary W. Biggs, Chairperson for the Board of Supervisors, is hereby authorized to execute the said Moral Obligation Agreement with Bank of America on behalf of the County of Montgomery, Virginia.

MORAL OBLIGATION AGREEMENT  
OF  
THE COUNTY OF MONTGOMERY, VIRGINIA

THIS MORAL OBLIGATION AGREEMENT, made on the 22<sup>nd</sup> day of January, in the year 2001, by and between the County of Montgomery, Virginia, a political subdivision of the Commonwealth of Virginia (the "County") and Bank of America.

**BACKGROUND**

1. The Industrial Development Authority of the County of Montgomery, Virginia (the "Authority") a public body politic and corporate of the Commonwealth of Virginia, was created pursuant to the provisions of Chapter 49 of Title 15.2 of the Code of Virginia, 1950, as amended.
2. The Authority holds a Deed to land located in the Town of Blacksburg, Virginia, within the County of Montgomery, consisting of +/- 15 acres, known as the Blacksburg Industrial Park and known as 3150 State Street, Blacksburg, Virginia.
3. In order to induce ACT MicroDevices to locate its corporate office and manufacturing facility in the County and thereby to promote the industrial development and economy of the County, the Authority proposes to undertake the build out of its 108,000 square foot existing shell building on

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said land (the "Project") and to lease to ACT MicroDevices the entirety of the premises, including the +/- 15 acres on which the facility will be located.

4. The Authority will obtain a commitment from Bank of America to finance the cost of the Project up to \$7,750,000.00 and as part of that commitment and as security for the Taxable Line of Credit to be provided by Bank of America, Bank of America requires the Moral Obligation of the County to repay the Taxable Line of Credit in the event that the Authority fails to make payment of the same.

**NOW THEREFORE**, for and in consideration of the foregoing premises and the mutual benefits to be derived therefrom and other good and valuable consideration, the receipt and sufficiency of which are hereby-acknowledged, the parties hereto agree as follows:

1. In the event the Authority fails to repay the debt created by the Line of Credit in accordance with the terms of repayment stated therein, the County hereby acknowledges that, to the extent permitted by law, it has a moral obligation to pay Bank of America such amounts otherwise due from and payable by the Authority. In the event of non-payment by the Authority, Bank of America by its duly authorized representative shall submit an appropriation request to the County in the amount then due Bank of America by the Authority. Subject to the making of an appropriation pursuant to the provisions of this Paragraph 1, the County shall pay Bank of America the amount of such appropriation as soon as practicable.

2. Bank of America shall apply any funds so appropriated and paid to it by the County toward the Authority's obligations under the Line of Credit provided by Bank of America.

3. Nothing herein shall be deemed to be a pledge of the faith and credit or the taxing power of the County with respect to any sums which may become payable hereunder.

4. If any clause, provision or paragraph of this Agreement shall be held illegal or invalid by a Court, the illegality or invalidity of such clause, provision or paragraph shall not affect any of the remaining clauses, provisions or paragraphs hereof, and this Agreement shall be construed and enforced as if such illegal or invalid clause, provision or paragraph had not been contained herein. In case any question should arise as to whether any provision contained herein shall be in violation of law, then such provision shall be construed to the agreement of the parties hereto to the full extent permitted by law.

**IN WITNESS WHEREOF**, The County of Montgomery, Virginia, has caused its name to be subscribed hereunto by its Chair, Board of Supervisors, and its seal to be hereto affixed and attested by the Clerk of the County, and Bank of America has caused its name to be subscribed hereunto by Mr. Greg Richards, its duly authorized representative, and its seal to be affixed and attested, all as of the date first above written.

The vote on the foregoing motion was as follows:

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AYE

John A. Muffo  
Larry N. Rush  
C.P. Shorter  
James D. Politis  
Annette S. Perkins  
Mary W. Biggs

NAY

Joe C. Stewart

**Industrial Development Authority- Loan For an Escrow Deposit Account - ACT MicroDevices**

On a motion by John A. Muffo, seconded by C.P. Shorter and carried,

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, 2001, for the function and in the amount as follows:

810	Economic Development	\$250,000
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The sources of funds for the foregoing appropriation is as follows:

Revenue Account:

451203	Undesignated Fund Balance	\$250,000
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Said resolution appropriates funds for loan to the Industrial Development Authority as an Escrow Deposit Account with the Bank of America for the ACT MicroDevices project.

The vote on the foregoing motion was as follows:

AYE

Larry N. Rush  
C.P. Shorter  
James D. Politis  
Annette S. Perkins  
John A. Muffo  
Mary W. Biggs

NAY

Joe C. Stewart

**Memorandum of Understanding For Transition of Airport Operations and to Lease Property - Virginia Tech/Montgomery County Airport Authority**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby approve the draft Memorandum of Understanding for Transition of Airport Operations and to Lease Property by and among Virginia Polytechnic Institute and State University, the Town of Blacksburg, the Town of Christiansburg, and the County of Montgomery ( **the “MOU”**).

BE IT FURTHER RESOLVED, That the Chair of the Board of Supervisors and the County Administrator are authorized and directed, along with the County Attorney, to execute and deliver the final MOU and such related instruments or certificates as they may deem necessary or convenient in connection with the performance of the obligations of Montgomery County under the MOU.

This resolution shall take effect upon adoption.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
C.P. Shorter	James D. Politis
Annette S. Perkins	Joe C. Stewart
John A. Muffo	Larry N. Rush
Mary W. Biggs	

**Sheriff - Transfer from General Contingencies for a Crossing Guard at Prices Fork Elementary**

On a motion by C.P. Shorter, seconded by John A. Muffo and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is hereby authorized, as follows:

FROM:

950 Contingencies (\$3,000)

TO:

320 Sheriff - County \$3,000

Said resolution transfers funds from General Contingencies to the Sheriff’s Office - County for a crossing guard at Price’s Fork Elementary School.

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The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	Joe C. Stewart
Annette S. Perkins	
John A. Muffo	
Larry N. Rush	
C.P. Shorter	
Mary W. Biggs	

**Commonwealth's Attorney: Transfer From General Contingencies**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer is hereby authorized, as follows:

<u>FROM:</u>		
950	Contingencies	(\$1,500)
<u>TO:</u>		
200	Commonwealth's Attorney	\$1,500

Said resolution transfers funds from General Contingencies to the Commonwealth's Attorney's Office for furniture for an additional Assistant Commonwealth's Attorney.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Annette S. Perkins	None	Joe C. Stewart
John A. Muffo		
Larry N. Rush		
C.P. Shorter		
James D. Politis		
Mary W. Biggs		

**COUNTY ATTORNEY'S REPORT**

Virginia Gas Pipeline Company merger with NUI The County Attorney reported he attended the public hearing held by the State Corporation Commission ( SCC ) on the proposed Virginia Gas Pipeline

Company merger with NUI on January 9, 2001. There were approximately twelve speakers who spoke in opposition to the merger. The SCC is expected to make a decision in March 2001.

House Bill 2617 - House Bill 2617 will be introduced to the House of Delegates at their General Assembly session this year. This bill introduces legislation against elected officials serving on a public service authority. It was consensus of the Board of Supervisors to authorize the County Attorney to send a statement of opposition to the General Assembly.

## **BOARD MEMBERS' REPORTS**

Supervisor Perkins received a call from a concerned citizen about snow removal on the Huckleberry Trail. She stated that the snow was removed from the Town of Christiansburg and the Town of Blacksburg sections but not Montgomery County's section. She asked if the County could remove snow on their portion of the Huckleberry Trail. Joe Powers, Planning Director, informed the Board that Montgomery County does not maintain their portion of the Huckleberry Trail and has signs posted along the trail stating this. Mr. Powers believes the Town of Christiansburg also has signs posted. He will check with the both Towns to see what type of maintenance procedure they have.

Supervisor Muffo attended the Planning Commission meeting held January 17, 2001. The Planning Commission approved their work plan for 2001. Discussions also included telecommunications towers in Montgomery County. The Planning Commission agreed there should be a comprehensive plan on telecommunications towers. They will be working with the consultant and will make a recommendation to the Board of Supervisors soon.

Supervisor Stewart attended the Fairview District Home meeting. Supervisor Stewart informed the Board that due to bad publicity the Fairview District Home has not received any new residents, causing a shortfall in revenue. They have used the remaining funds received from participating localities for expenses this month.

Supervisor Biggs reminded the Board that the VACo/VML Legislative Day is scheduled for February 1, 2001 in Richmond. The Chair, Supervisors Perkins and Shorter, and the County Administrator, plan to attend.

League of Women Voters Breakfast Meeting is scheduled for February 16, 2001 at 7:00 a.m at the Red Lion Inn in Blacksburg.

Dominion Drive - Road Concern Supervisor Biggs received a call from a citizen about overgrown brush at the intersection of Dominion Drive and Chrisman Mill Road. Supervisor Biggs requested staff investigate as to who is responsible for clearing the brush at this intersection.

114/460 Corridor Planning Advisory Council Supervisor Biggs reported that Ann Hess contacted her again about the 114/460 Corridor Planning Advisory Council and would like for it to be reinstated. Supervisor Biggs stated at the time of the Annexation Agreement, the Town of Christiansburg did not have a planning department and neither of the Planning Commissions had certified planning staff. Both now have this and the Planning Commissions have staff expertise to evaluate land use requests.

### **ADJOURNMENT**

On a motion by Joe C. Stewart, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, February 12, 2001 at 7:15 p.m. The vote was as follows:

AYE

Annette S. Perkins  
John A. Muffo  
Larry N. Rush  
C.P. Shorter  
James D. Politis  
Joe C. Stewart  
Mary W. Biggs

NAY

None

The meeting adjourned at 11:15 p.m.