

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 25TH DAY OF OCTOBER, 1999 AT 7:15 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Joseph V. Gorman, Jr.	-Chairman
	Mary W. Biggs	-Vice Chairman
	Ira D. Long	-Supervisors
	Annette S. Perkins	
	James D. Politis	
	Larry N. Rush	
	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
	Robert C. Parker	-Public Information Officer
	Meghan Dorsett	-Planner
	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

Zoning Ordinance

Revised Zoning Ordinance Montgomery County, Virginia dated November 18, 1998 with Planning Commission recommended revisions of August 18, 1999.

Harriett Cooper Ms. Cooper read several newspaper articles concerning urban sprawl and requested the Board to approve the new ordinance.

Bob Stuart spoke in favor of the proposed revised zoning ordinance. Mr. Stuart commented that approval of the zoning ordinance is only a beginning of growth management and a marked improvement over the existing zoning ordinance.

Paul Haynes stated the proposed ordinance is an improvement over the existing zoning ordinance, but

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needs further study by the Board. Mr. Haynes also addressed the Board about the Board of Supervisors serving as the Public Service Authority. He urged the Board to considered separating the two in January.

Steve Critchfield stated that the sliding scale in the agricultural district would limit farmers on what they can do with their land. He said the sliding scale should be reviewed further before approving the zoning ordinance.

Rod Crowgey spoke in opposition of the revised zoning ordinance. Mr. Crowgey stated that the ordinance needs more consideration and study.

Charles Bowles addressed the Board concerning public water lines going through forest land, and business sprawl. Mr. Bowles believes that the zoning ordinance needs to be evaluated more before approval.

Mary North stated that strong regulations are needed and a strict zoning ordinance would help control development.

Larry Martin spoke in opposition of the proposed zoning ordinance. Mr. Martin stated that affordable housing would no longer be available due to increased in costs of construction under the new proposed zoning ordinance.

Rick Whitney, President of the New River Home Builders Association, addressed the Board concerning the cost of housing in Montgomery County. Mr. Whitney stated under the proposed zoning ordinance clustering of housing can occur and the affect the cost of affordable housing. He also expressed concerns with economic growth.

Virginia Jurson Reilly representing the Friends of Riner, requested the Board to approve the latest version of the zoning ordnance. She stated that long range planning is needed and supports the sliding scale. Ms. Reilly said she is concerned with the issue of water and sewer lines going through agriculture land.

Margaret Smith spoke in opposition of the proposed zoning ordinance. Ms. Smith said she was concerned with water and sewer lines going through agriculture land. She stated if the ordinance is approved it would allow more accessible rezoning of land.

Kitty Brennan, a member of the Planning Commission, thanked the Board for their support for revising the zoning ordinance. Ms. Brennan stated that the zoning ordinance still needs to be revised and studied more before approved. She stated her concerns with water and sewer being allowed through agriculture land. This would destroy open space and should be considered further. Ms. Brennan urged the Board to table the zoning ordinance and refer it back to the Planning Commission for further review and revisions.

Lloyd Phillips spoke in opposition on the proposed zoning ordinance. Mr. Phillips stated he was a farmer and it would limit growth for all farmers under the proposed zoning ordinance. He believes open space is still needed, and opposes the sliding scale.

Richard Roth spoke in opposition on the proposed zoning ordinance, saying there are still problems in the proposed zoning ordinance that needs to be revised before approval. The ordinance needs to show equality and fairness, with other options for control growth. Mr. Roth requested the Board to refer the proposed zoning ordinance back to the Planning Commission for further consideration.

Mike Marlo recommended that the Board read several books concerning planning and the approach to government. He stated that control growth and long range planning is an issue that Montgomery County needs to consider.

Alan Raflo questioned the procedure for future planning and expressed his concerns with the clustering concept. Mr. Raflo stated the ordinance needs to be considered further before approval by the Board.

Robin Boucher spoke in favor of the proposed zoning ordinance. Ms. Boucher stated that the County is growing at a rapid pace and Montgomery County needs to provide living space. While the County needs a zoning ordinance, there needs to be revisions made to the ordinance as it is currently proposed.

David Anderson stated that urban and rural growth are factors that need to be considered when making a decision on the zoning ordinance.

Linda Major spoke in favor of the proposed zoning ordinance. While she supports the proposed zoning ordinance, the Board should remove the section where water and sewer lines can go through agricultural districts.

John Hollins stated that the proposed ordinance has flaws and still needs further review. He said that the land owners and developers are being dictated to.

Robert Miller said the County needs open space, and expressed his concerns with water and sewer being allowed through agriculture land. He suggested that the proposed zoning ordinance be referred back to the Planning Commission for further revisions.

Tamara Vance spoke in favor of the proposed zoning ordinance; that the County is growing and controlled growth is needed.

Cecile Newcomb stated that a zoning ordinance is needed to provide long term controlled growth.

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

AEP Conveyance of Right-of-Way Easement

Conveyance of right-of-way easement to American Electric Power for underground conductors to

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serve 4 of the 8 new street lights requested by the Town of Blacksburg for the proposed new Blacksburg School Site located on Price's Fork Road.

There being no speakers, the public hearing was closed.

AEP Conveyance of Right-of Way Easement

Conveyance of right-of-way easement to American Electric Power in order to relocate an existing overhead line to serve Prestar Packaging and the Falling Branch Industrial Park located on Parkway Drive and Falling Branch Road.

There being no speakers, the public hearing was closed.

Proposed Water Project-Grant Application

-Proposed Grant Application to Virginia Division of Mined Land Reclamation, Abandoned Mined Land Section for funding of a proposed project to extend potable water service to the Old Creek Road/Mt. Zion Road area, including Buckshot Lane, Bobcat Lane, Cypress Lane, and Welcome Road.

There being no speakers, the public hearing was closed.

Rezoning & Special Use Permit

R&V Properties/Sheppard (Agent: Gay and Keese, Inc.) request to rezone 14.19+ acres; Tax Parcels Nos. 64-A-42 and 42A from A-1 (Agriculture) to PMR (Planned Mobile Home Residential) with a Special Use Permit to allow expansion of an existing Mobile Home Park. Property is located at 3226 Peppers Ferry Road, (Sheppard's Mobile Home Park) in the Prices Fork Magisterial District.

Warren Neily, Jr., agent for R&V Properties, addressed the Board in reference to R&V Properties request for expansion of Sheppard's Mobile Home Park. Mr. Neily stated that R&V Properties meets all the criteria and should not be denied for rezoning and a special use permit. Mr. Neily addressed several points pertaining to the request and conditions that would be met by R&V Properties if approved.

Bonnie Gillespie spoke in opposition on the Sheppard's Mobile Home expansion. Ms. Gillespie stated that the park consists of twelve units and R&V Properties is proposing to expand by 50 additional units. Ms. Gillespie urged the Board to consider all the factors if the expansion is allowed, increased traffic on Route 114, a increase of 130 vehicles into the mobile home park with only one entrance, the increased traffic near Belview Elementary School. Ms. Gillespie requested that the Board deny the request of R&V Properties for expansion of Sheppard's Mobile Home.

Michael Gay, agent for R&V Properties, addressed the engineering factor of the proposed request. Mr. Gay explained that the request is in compliance with the urban expansion, that public water and sewer is available and R&V Properties will meet all requirements of VDOT and Montgomery County Planning Department.

Christie Craft spoke in opposition to the Sheppard's Mobile Home expansion. Ms. Craft stated that the

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traffic on Route 114 will increase which already is a congested dangerous road. Ms. Craft also stated that there is a fire safety issue because there is no fire department in close proximity of the mobile home park. Ms. Craft urged the Board to deny R&V Properties request.

The following letter was entered into the record at the request of Chairman Gorman:

“October 21, 1999

Joseph V. Gorman, Jr., Chairman
Montgomery County Board of Supervisors
402 Hearthstone Drive, N.E.
Blacksburg, Virginia 24060

Dear Joe:

I represent James Radford of R&V Properties in connection with his request for a Special Use Permit for the expansion of Shepherd's Mobile Home Park on Route 114.

When we appeared before the Planning Commission at their Public Hearing on September 8, 1999 there were two such requests before the Commission, one for Shepherd's Mobile Home Park, and one for Massie's Mobile Home Park.

I stated in my remarks to the Commission that they should either recommend approval of both requests or deny both requests because the conditions surrounding the two requests and the Staff Study analyzing them were virtually the same.

The Staff Study however, recommended approval of the Massie request and disapproval of the Shepherd request, citing increased traffic on Route 114 in both reports. The Staff Study also noted that the Massie request was made in 1995 and was deferred until adequate sanitary sewer service could be provided to the area.

Enclosed is a copy of material which I submitted to the Planning Commission on September 8, 1999. The points made in this material can be summarized as follows.

1. There is a shortage of low income housing in Montgomery which approval of this request would help to alleviate.
2. The County School Board saw no problems with an increase in students at nearby schools.
3. VDOT saw no problems but recommended adequate turn lanes if the requests were approved.
4. R&V's plans show two entrances to the expanded park instead of the one existing entrance, and more importantly, two turn lanes where there are now none. The addition of turn lanes where none

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now exist should more than compensate for any increased traffic load insofar as safety is concerned.

5. Approval of this request would merely expand an existing use and not change the character of the neighborhood. This area is also located in an urban expansion zone which the County has determined is appropriate for urban uses.

Traffic on Route 114 is a legitimate concern, but denial of this request will not alleviate this problem. New residential and commercial developments along 114 will be approved in the immediate future. Pulaski County recently approved a residential development on the old AT&T site containing approximately 200 units, which should add substantially to the traffic flow on 114. As I pointed out in my remarks to the Commission, denial of this request will not decrease or stabilize traffic flow on 114; it will simply have the effect of reserving 114's capacity for people who do not live on 114.

The Supervisors made the correct decision when they approved Massie's request. The request met the criteria in the zoning ordinance and the conditions attached to the Special Use Permit insure that the new development will satisfy all planning criteria.

The difference between the Massie request, which the Staff Study recommended, and the Shepherd request which the Staff Study did not recommend, seems to lie in the fact that Massie's request was made several years ago and that the owners of the park assisted in bringing public sewer to the area. These are certainly legitimate political considerations but they do not satisfy planning criteria. The Supervisors approved Massie's request because it met the planning criteria. Shepherd's request meets the same criteria and it should also be approved.

One of the goals of planning regulations, in addition to insuring orderly growth and development, is to insure that persons who are similarly situated are treated the same. This is one of those situations, and in the interest of good planning and fundamental fairness, Shepherd's request should be approved.

Sincerely,
(s) Warren S. Neily, Jr."

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

Amendment to Special Use Permit

James W. Radford, Jr. (Agent: Gay and Keese, Inc.) request for an Amendment to a Special Use Permit to allow expansion of an existing mobile home park, located at 1156 Hightop Road (Oak Forest Mobile Home Park), in the Price's Fork Magisterial District.

Paul Heilker spoke in opposition to the request for expansion at Oak Forest Mobile Home Park. Mr. Heilker stated that Merrimac Road and Hightop Road are small narrow roads and increased traffic due

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to the expansion will make these roads more dangerous. Mr. Heilker stated that the owners of Oak Forest Mobile Home Park do not maintain the existing mobile home park as needed, and to allow the expansion will only make the condition worse.

Michael Gay agent for James Radford, Jr., addressed issues concerning the improvements to Oak Forest Mobile Home Park that is required upon expansion, and asked that the Board approve Mr. Radford's request.

DELEGATION

New River -Highland Resource Conservation and Development Council (RC&D)

Mr. Gary Boring, Coordinator of the New River-Highlands Resource Conservation and Development Council (RC&D), presented a brief summary of RC&D's 1999 Annual Report. The report consists of accomplishments of the RC& D and a list of active projects.

PUBLIC ADDRESS SESSION

Charles Bowles addressed the Board on zoning violations in the Riner District. Mr. Bowles stated several businesses are operating in areas not zoned for business and have signs located on their property. Mr. Bowles requested the Board to investigate these businesses.

ADDENDUM - ADD TO THE AGENDA

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the following addendum dated October 25, 1999 was added to the agenda under Closed Meeting:

Section 2.1-344(A) (7) Consultation with Legal Counsel Pertaining to Actual Litigation
Where Such Consultation in Open Meeting Would Adversely
Affect Negotiating or Litigating Posture of the Public Body

1. Shelor vs. Montgomery County

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Larry N. Rush	None
Ira D. Long	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	

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Mary W. Biggs
Joseph V. Gorman, Jr.

CONSENT AGENDA

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated October 25, 1999 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously, the minutes dated September 13 and September 27, 1999 were approved.

Schedule Joint Public Hearing-Board of Supervisors and the Virginia Department of Transportation (VDOT)

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby schedules a joint public hearing with the Virginia Department of Transportation (VDOT) on Monday, November 22, 1999 at 7:15 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens' comments on the proposed **Six Year Plan for Improvement of the Secondary System of Highways for Montgomery County** and establishment of priorities for the 2000-2001 budget year.

BE IT FURTHER RESOLVED, That the Virginia Department of Transportation will assure proper

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From End of State Maintenance
To Cul-De-Sac 0.24 Mi
Plat Recorded, 11-25-98
Plat Book: 18 Page: 312

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way of 40', as described, and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, This Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to Section 33.1-229, Code of Virginia; and

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

APPOINTMENTS

Office on Youth Advisory Board

On a motion by Joe C. Stewart, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby appoints the following representatives to the **Office on Youth Advisory Board** effective October 26, 1999 and expiring June 30, 2000:

Christiansburg High School

Brian Badillo
3710 Eaglebrook Road
Christiansburg, VA 24073

James Calloway
655 Atkinson Road
Christiansburg, VA 24073

Megan Ross
2041 Dominion Drive
Christiansburg, VA 24073

Kattie Erickson
2580 Gooseberry Lane
Blacksburg, VA 24060

Shawsville High School

Joseph M. Milton
1900 Den Hill
Christiansburg, VA 24073

Tneece Deshaun Ford
264 Brake Road
Elliston, VA 24087

Randall Wayne Womack
2301 Den Hill Road
Christiansburg, VA 24073

Elaine Kelly Smith
1545 North Fork Road
Christiansburg, VA 24073

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NEW BUSINESS

2232 Review Elliston-Lafayette Recreation Park Development

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

WHEREAS, In accordance with state law, the Board of Supervisors by resolution of July 13, 1998, established a policy for Planning Commission review of any public building, structure, facility or area prior to its construction, establishment or authorization in accordance with Section 15.2-2232 of the Code of Virginia, 1950, as amended; and

WHEREAS, The Planning Commission at its Regular Meeting of October 13, 1999, reviewed, and approved the Elliston-Lafayette Recreation Park Development as being substantially in accord with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby acknowledges the findings of the Planning Commission.

The vote on the foregoing motion was as follows:

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

2232 Review Parks and Recreation Bath House Expansion/Renovation

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

WHEREAS, In accordance with state law, the Board of Supervisors by resolution of July 13, 1998, established a policy for Planning Commission review of any public building, structure, facility or area prior to its construction, establishment or authorization in accordance with Section 15.2-2232 of the Code of Virginia, 1950, as amended; and

WHEREAS, The Planning Commission at its Regular Meeting of October 13, 1999, reviewed, and approved the Parks and Recreation Bath House Expansion/Renovation as being substantially in accord with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery

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County, Virginia hereby acknowledges the findings of the Planning Commission.

The vote on the foregoing motion was as follows:

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

Subdivision Variance Request-Appalachian Power Company

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

WHEREAS, Section 8-115 of the Subdivision Ordinance authorizes the Board of Supervisors to grant a variance from any provisions of the Subdivision Ordinance after receiving recommendation from the Planning Commission; and

WHEREAS, The Appalachian Power Company (Agent: Montgomery County) has requested a variance from Section 8-151(b) of the Subdivision Ordinance in order to allow conveyance of two new parcels without public road frontage; and

WHEREAS, Conveyance of the 1+ acre parcel to the Town of Blacksburg and the 12+ acre parcel to Montgomery County is necessary to satisfy proffered conditions #4 and #5 of Montgomery County Ordinance 1998-21 to protect and buffer nearby residential uses from the transmission substation; and

WHEREAS, The Planning Commission has recommended approval.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the variance request of Appalachian Power Company (Agent: Montgomery County) to allow conveyance of two new parcels without public road frontage is hereby approved.

Property is Tax Parcel 54-A-4 located at the end of Shelor Lane.

The vote on the foregoing motion was as follows:

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

COUNTY ATTORNEY'S REPORT

Zoning Violations in the Riner Area The County Attorney addressed the complaint made by Charles Bowles during the Public Address section of the Agenda about zoning violations in the Riner Area. The County Attorney explained that all complaints are investigated and properly handled. He also stated that an ongoing legal matter with the subscription magazine company operating in Riner has been found guilty of zoning violations and has 20 days to remove their business.

COUNTY ADMINISTRATOR'S REPORT

Road Viewers Meeting The County Administrator reminded the Board members that a meeting of the Road Viewers will need to be scheduled.

School Board Student Enrollment Projections The County Administrator has received the student enrollment projections report from the School Board and copies will be distributed to the Board.

Y2K Update The Assistant County Administrator, Carol Edmonds, updated the Board on the County's Y2K progress. Ms. Edmonds reported that the system implementation for critical functions in the County are on-going and should be ready by December 31, 1999. There are a few non-critical items that will be installed after January.

BOARD MEMBERS' REPORTS

Supervisor Long reported that a stop sign was missing on Hightop Road in Merrimac at the bridge. Mr. Long said that the Virginia Department of Transportation (VDoT) had been contacted but the sign has not been replaced.

Cypress Lane Supervisor Long reported that the road sign replaced for Cypress Lane is misprinted. The sign has Cypress Road instead of Cypress Lane. He requested the County Administrator report this to the proper department.

Supervisor Long requested the County Administrator to follow up with VDoT about Sara Wall's request in clearing out brush beside her driveway.

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Collections & Recycling Committee Supervisor Long distributed copies of the minutes for the last Collections and Recycling Committee meeting.

Supervisor Rush reported that the County Administrator should be receiving a petition requesting Archway Lane be entered into the Rural Addition process.

Supervisor Politis addressed the issue regarding zoning violation in the County. Supervisor Politis suggested one option to consider is mandating a business license for all businesses outside the incorporated areas of the County. This would allow the County to enforce the zoning regulations.

Fairview Church Road Supervisor Politis reported that the potholes on Fairview Church Road have not been repaired and requested that VDoT be contacted.

Supervisor Stewart reported the Log Home Business in Shawsville is filling in area with fill dirt, and asked that the County Administrator to investigate. He stated that this property is known for flooding and the change in landscape could cause more damage if flooded in the future.

Supervisor Perkins New River Planning District Commission Supervisor Perkins reported the annual dinner will be held Wednesday, October 27, 1999. The Commission will be voting on new members at the meeting.

Economic Development Commission next meeting is scheduled for October 28, 1999 and they will be touring the Falling Branch Industrial Park and the Elliston/Lafayette Industrial Park.

Supervisor Biggs School Board Meeting Supervisor Biggs reported that several issues were discussed at the October 19, 1999 meeting: The student enrollment projects; Blacksburg School mascot name the Indians; the Capital Improvement Program for school constructions; and possible snow routes.

Planning Commission A presentation on the proposed Heritage Park in Merrimac was given and an update was provided on the I77 Corridor Land Use Plan.

Library Hours - Supervisor Biggs reported that she had a call from a citizen about the hours at the Blacksburg Library being changed from 8:30 p.m. to 8:00 p.m. She would like to see the hours remain the same as before.

Chairman Gorman requested the minutes from Montgomery Regional Solid Waste Authority be included in the next Board report.

INTO CLOSED MEETING

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

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

Section 2.1-344(A) (7) Consultation with Legal Counsel Pertaining to Actual Litigation Where Such Consultation in Open Meeting Would Adversely Affect Negotiating or Litigating Posture of the Public Body

1. Shelor vs. Montgomery County

The vote on the foregoing motion was as follows:

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

OUT OF CLOSED MEETING

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

BE IT RESOLVED, That 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>
Mary W. Biggs	None
Ira D. Long	
Larry N. Rush	
James D. Politis	
Joe C. Stewart	
Annette S. Perkins	
Joseph V. Gorman, Jr.	

CERTIFICATION OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by Mary W. Biggs 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 2.1-344.1 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
Ira D. Long
Larry N. Rush
James D. Politis
Joe C. Stewart
Annette S. Perkins
Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

ADJOURNMENT

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Wednesday, November 10, 1999 at 7:15 p.m.

The vote on the foregoing motion was as follows:

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AYE

Mary W. Biggs

Ira D. Long

Larry N. Rush

James D. Politis

Joe C. Stewart

Annette S. Perkins

Joseph V. Gorman, Jr.

NAY

None

The meeting adjourned at 10:35 p.m.