

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 22ND DAY OF JUNE, 1998 AT 7:00 P.M. IN THE BOARD CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Joseph V. Gorman, Jr.	-Chairman
	Larry N. Rush	-Vice Chairman
	Ira D. Long	-Supervisors
	Mary W. Biggs	
	Annette S. Perkins	
	James D. Politis	
	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
	Angela M. Hill	-Financial & Management Services Director
	Vickie L. Swinney	-Secretary

CALL TO ORDER AND PUBLIC HEARINGS

Chairman Gorman called the public hearings to order for the purpose of receiving comments on the following:

Rezoning and Special Use Permit

-William M. Flinchum request to rezone 0.6359 acre, a portion of Tax Parcel No. 29-A-8 from A-1 (Agriculture) to M-1 (Industrial) with a Special Use Permit for a contractor's storage yard. Property is located at 1220 Panorama Drive, in the Mt. Tabor Magisterial District.

Blaine Keese, Gay Engineering, agent of the applicant was present to answer any questions the Board of Supervisors may have on Mr. Flinchum's request.

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

Rezoning

-Stratford Group, Inc. request to rezone 0.936 acre, Tax Parcel No.52-A-22 from R-1 (Residential) to A-1 (Agriculture). Property is located on the north side of Prices Fork Road, approximately one-half mile west of the Blacksburg Town Limits, in the Prices Fork Magisterial District.

There were no speakers, the public hearing was closed.

Comprehensive Plan Amendment

-Amend the land use designations for the Falling Branch Area Planning Commission initiated amendment to the Comprehensive Plan for the Falling Branch Area detailing the land use guidelines for the area. The property is located on both sides of Falling Branch Road just south of the Falling Branch Road / Interstate 81 bridge in the Shawsville Magisterial District. The effected area is approximately 770 acres.

Charlie Elgin - resident of Falling Branch, asked if the voting precincts would change due to the amendment changes in the Falling Branch Area. The Planning Director assured Mr. Elgin that all voting precincts would remain the same.

Sue Atkinson, resident of Falling Branch, stated that she did not understand what the Amendment of the Comprehensive Plan was and how it would affect the Falling Branch Community.

Donna Martin , property owner, stated her concerns about the proposed street connecting to South Franklin Street and wanted to know if her property could be considered commercial zoning instead of residential since her property is right on the border of the plateau and creek area.

Greg Futhenberger , property owner, said he would like to know the future plans for the plateau area and if there is going to be commercial development in the creek area. He stated there seems to be development to the land and is concerned about the unknown.

Kathy Stone, resident of Falling Branch, asked the Board to consider including their property for commercial zoning. Their property is on the border of the plateau and creek area.

Stacy Martin, resident of Falling Branch, stated his concerns of the wooded area being torn down. He would like for the forest area to be considered a conservation area and not be used for commercial development.

Joy Foster, property owner, said she owned the wooded area of Falling Branch being cleared for the 3A Connector. She stated she sold her land and the timber for profit since VDOT was going to take her land anyway for this project. She wanted to insure the residents of Falling Branch that the construction on this land was for the 3A Connector.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC ADDRESS SESSION

There were no speakers.

CONSENT AGENDA

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Consent Agenda of dated June 22, 1998 was approved. The vote was as follows:

AYE

Larry N. Rush
Annette S. Perkins
Mary W. Biggs
Joe C. Stewart
Ira D. Long
James D. Politis
Joseph V. Gorman, Jr.

NAY

None

Approval of Minutes of May 26, 1998

On a motion by Larry N. Rush, seconded by Ira D. Long and carried unanimously, the Minutes of May 26, 1998 were approved.

Schedule Public Hearings

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County hereby schedules a public hearing on Monday July 27, 1998 at 7:00 p.m. in Courtroom B, County Courthouse, Christiansburg, Virginia to hear citizens comments on the following:

the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 1998, for the function and in the amount as follows:

<u>991</u>	<u>School Operating Fund</u>	
	Instruction	\$ 31,000
	Operation/Maintenance	<u>\$ 24,312</u>
	Total	\$ 55,312

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

Revenue Account:

2402-34	Other State Funds	\$ 55,312
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Said resolution appropriates additional state monies for use in the School Operating Fund.

Recovered Costs: Sheriff

On a motion by Larry N. Rush, seconded by Ira D. Long 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, 1998, for the function and in the amount as follows:

310	Sheriff-County/State	\$ 2,758
311	Sheriff-100% County	\$ 693
510	DARE	<u>\$ 100</u>
		\$ 3,551

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

Revenue Account

1901-05	Recovered Costs- Sheriff	\$ 3,178
1901-34	Asset Forfeitures	\$ 273
1901-49	Recovered Costs - DARE	<u>\$ 100</u>
		\$ 3,551

Said resolution appropriates monies to cover the cost of security patrols at Custom Catering, recovered costs from extraditions, donations to the DARE program and monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

Two for Life Fund Allocation

On a motion by Larry N. Rush, seconded by Ira D. Long 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, 1998, for the function and in the amount as follows:

510	Grants-Two for Life	\$27,482
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

2404-18	Two for Life	\$27,482
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Said resolution appropriates funds received from the Two for Life program for use by the Volunteer Rescue Squads.

Magistrate's Office: Transfer from Special Contingencies

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

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

FROM:
560 Special Contingencies (\$ 1,000)

TO:
302 Magistrate \$ 1,000

Said resolution transfers funds from Special Contingencies for the purchase of a computer for the Magistrate's Office.

Transfer of Funds: Payment of Leave Balances

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

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

FROM:
550 General Contingencies (\$4,300)

TO:
110 County Administrator \$4,300

Said resolution transfers funds from General Contingencies to cover the payment of leave balances for an employee who terminates County service June 30, 1998.

Authorization for Payment - Draper Aden Associates-Mid-County Landfill

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the payment of all invoices from Draper Aden Associates for job number 53-1967 for gas remediation at the Mid-County Landfill.

Brush Creek Road (SR 617) - Refer to Transportation Safety Commission

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

WHEREAS, Concerned citizens have complained about the hazardous road conditions on Brush Creek Road (SR 617) and pot holes near Brush Creek Plantation; and

WHEREAS, There are blind curves on the road and allowance for one car passage.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby refers the hazardous road conditions on Brush Creed Road to Montgomery County Transportation Safety Commission to look at ways to enhance the safety of this road.

Public Building Use

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

WHEREAS, The Montgomery County Courthouse and the Health and Human Services Building are public buildings constructed for the purpose of housing the courts and government of Montgomery County and furthering the goals of the local government.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby establishes the following meeting and use policy for the buildings:

The first priority for use of the Courthouse and Health and Human Services Building is by local government and courts. When the court or a local official is responsible and supervising the activity, elements of the government of the Commonwealth may use the buildings.

The second priority for use of the Courthouse and the Health and Human Services Building is by government related groups, public organizations which further the goals of local government. These groups include: organizations to which Montgomery County Government donates money (and which need the use of the build(s) to further the purposes for which the money was donated); civic organizations with the purpose of holding a public candidate forum; political parties recognized by the State. These organizations may use the buildings for public meetings after approval by the County Administrator.

A group (or its representative) which is not a part of Montgomery County government or State government may make application with the County Administrator contracting to be responsible for damages to the property caused by or related to use of the building(s) by that group or individual.

The County Administrator may refuse the use of the building(s) if time, space, higher priority uses, lack of personnel or other good cause make it undesirable to permit non-governmental use of the building(s). Any group so refused may appeal to the Board of Supervisors.

The following groups may **not** use the Courthouse or the Health and Human Services Building: 1) profit making groups or businesses for their private, profit making purposes; 2) groups using the building(s) for a private purpose; 3) groups which need the Courthouse or the Health and Human Services Building on a regular basis; 4) religious organizations or bodies which want to use the building(s) for religious purposes where it might appear to constitute a breach of the separation between church and state.

Welcome Center on I-73

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby endorses the construction and maintenance of a Welcome Center on I-73, when constructed, with appropriate signage at the entrance to Virginia from North Carolina.

Rural Additions

Addition to the Secondary System of State Highways - Horse Farm Road

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

WHEREAS, The street described below is shown on a plat recorded in the Clerk's Office of the Circuit Court of Montgomery County and currently serves at least three (3) families per mile; and

WHEREAS, The Resident Engineer of the Virginia Department of Transportation has advised the Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Virginia Department of Transportation to add the street described below to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements:

ADDITION:

Name of Subdivision

Schug's Farm

Name of Street

Length

Horse Farm Road

From State Route 648

.32 Mi to Cul-de-sac

0.32 Mi

Plat Recorded: December 11, 1996

Plat Book: 17; Page 51

BE IT FURTHER RESOLVED, This Board guarantees a clear and unrestricted right-of-way of 60', and any necessary easements for cuts, fills and drainage; and

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

Addition to the Secondary System of State Highways - Oakwood Court and Pinewood Circle

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

WHEREAS, The street described below is shown on a plat recorded in the Clerk's Office of the Circuit Court of Montgomery County and currently serves at least three (3) families per mile; and

WHEREAS, The Resident Engineer of the Virginia Department of Transportation has advised the Board the streets meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements:

ADDITION:

Name of Subdivision

Riverwood Estates Phase I

Name of Streets

Length

Oakwood Court

From Pinewood Circle
.21 Mi to Cul-de-sac 0.21 Mi
Plat Recorded: February 24, 1976
Plat Book: 8; page 87

Pinewood Circle
From Riverview Way
.07 Mi to Oakwood Court 0.07 Mi
Plat Recorded: February 14, 1976
Plat Book: 8; page 87

BE IT FURTHER RESOLVED, This Board guarantees a clear and unrestricted right-of-way of 50', and any necessary easements for cuts, fills and drainage; 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

NEW RIVER VALLEY PLANNING DISTRICT COMMISSION

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

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby appoints **James M. Moore** to the **New River Valley Planning District Commission** effective July 1, 1998 and expiring June 30, 2001.

OLD BUSINESS

Refinancing of VRS Obligation

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA AUTHORIZING THE ISSUANCE AND SALE OF THE COUNTY'S GENERAL OBLIGATION REFUNDING BONDS OR NOTES

WHEREAS, The Board of Supervisors ("Board") of the County of Montgomery, Virginia ("County") adopted a resolution on March 23, 1998 ("Resolution"), authorizing the issuance of general obligation refunding bonds or notes of the County in an aggregate principal amount not to exceed \$2,330,468 ("Bonds") for the purpose of refinancing the County's obligation to make certain annual payments to or on behalf of the Montgomery County School Division ("School Division") to pay the Virginia Retirement System ("VRS") the School Division's early retirement program costs as set forth in the Memorandum dated May 15, 1992, from the Director of VRS to Division Superintendents and Financial Officers of Public School Boards ("VRS Obligation"); and

WHEREAS, The Circuit Court of the County has, by Decree entered May 14, 1998, validated the issuance and sale of the Bonds pursuant to the Virginia Public Finance Act; and

WHEREAS, The Resolution authorizes and directs the County Administrator, the County Attorney and the Chairman of the Board and such officers and agents of the County as any of them may designate to take such actions as any of them deem necessary regarding the issuance and sale of the Bonds; and

WHEREAS, The County has distributed a request for proposals seeking bids for the purchase of the Bonds and of all of the bids received, the bid received by Blue Ridge Bank, N.A. offers to purchase the Bonds upon the terms most favorable to the County.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and to issue and sell the Bonds in an aggregate principal amount not to exceed \$2,330,468. The proceeds from the issuance and sale of the Bonds shall be used to refinance the VRS Obligation and to pay the costs of issuance of the Bonds.

2. Pledge of Full Faith and Credit. The full faith and credit of the County are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds as the same become due and payable. The Board shall levy an annual ad valorem tax upon all property in the County, subject to local taxation, sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

3. Details and Sale of Bonds. The Bonds shall be issued upon the terms established pursuant to the Resolution, the bid letter dated June 5, 1998 of Blue Ridge Bank, N.A. ("Bid Letter"), which is hereby accepted, and upon such other terms as may be determined by the County Administrator in the manner set forth in this Resolution. The Bonds shall be issued as a single, fully registered bond and shall be dated such date as the County Administrator may approve. The Bonds shall mature on the date or dates, in the year or years and in the principal amount or amounts to be determined by the County Administrator in accordance with the Bid Letter. The Bonds shall be issued in such aggregate principal amount as the County Administrator may determine; provided that the aggregate principal amount of the Bonds shall not exceed \$2,330,468. The Bonds shall bear interest at such rate or rates as are set forth in the Bid Letter which is attached to this Resolution as Exhibit A and incorporated herein by reference.

4. Redemption of Bonds. The Bonds shall be subject to redemption on such terms as the County Administrator may approve.

5. Further Actions. The appropriate officers and agents of the County are authorized and directed to take such further actions and to execute such documents and certificates as they may deem necessary regarding the issuance and sale of the Bonds and all such actions previously taken by such officers and agents are ratified and confirmed.

6. Effective Date. This Resolution will take effect immediately upon its passage.

The undersigned Clerk of the Board of Supervisors of the County of Montgomery, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of a Resolution adopted at a meeting of the Board of Supervisors of the County of Montgomery, Virginia, held on June 22, 1998.

Clerk, Board of Supervisors of the
County of Montgomery, Virginia
The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Larry N. Rush	
Annette S. Perkins	
Mary W. Biggs	

Joe C. Stewart
Ira D. Long
Joseph V. Gorman, Jr.

NEW BUSINESS

Membership Agreement: Virginia Association of Counties Group Self Insurance Risk Pool

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

WHEREAS, Montgomery County desires to protect against liability claims and property losses and to provide for payment of claims or losses for which the County may be liable; and

WHEREAS, The Virginia Association of Counties Group Self Insurance Risk Pool, aka VACoRP, has been established pursuant to Chapter 11.1 (§ 15.1-503.4:1 et seq.) and Title 15.1 of the Code of Virginia; and

WHEREAS, It is desirable for Montgomery County to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability claims and property losses; and

WHEREAS, Montgomery County must first provide 90 day notice of withdrawal from its existing Insurance Pool with Virginia Municipal League.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the withdrawal from VML Insurance Pool and agrees to the member agreement entitled "Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which creates a group fund to pay liability claims and property losses of the counties and other local agencies joining the Group, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED, That the County Administrator is authorized to send the withdrawal notice to VML and to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of Montgomery County in any other matter relative to the Group.

The vote on the foregoing motion was as follows:

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

New River Valley Health Insurance Consortium

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia authorizes the County's participation in the New River Valley Consortium for purposes of soliciting health insurance proposals.

Said resolution authorizes the County to participate in a health insurance consortium with surrounding localities and governmental entities to competitively solicit proposals for health insurance coverage.

The vote on the foregoing motion was as follows:

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

Payment of Feasibility Study: Juvenile Detention Home

On a motion by Ira D. Long, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia requests that the New River Valley Juvenile Detention Home Commission, of which the County is one of the founding participants, use surplus dollars generated by the New River Valley Juvenile Detention Home to pay the County's share of the cost of a study to address the feasibility of an alternative facility and alternative uses of the existing facility.

The vote on the foregoing motion was as follows:

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

A Resolution Expressing the County of Montgomery, Virginia Opposition to the Petition for the Incorporation of the Community of Prices Fork

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

WHEREAS, The Committee for Incorporation of the Prices Fork Community has published its intent to file a Petition For Incorporation of the Prices Fork Community with the Circuit Court; and

WHEREAS, The Petition states that the Prices Fork Community has water problems due to both the rising utility costs for public water and the poor quality of private sources of water; and

WHEREAS, The Committee for Incorporation of the Prices Fork Community believes

that by creating a town the people of the Prices Fork Community can solve their water problems;
and

WHEREAS, The Prices Fork Community is included within the Montgomery County Public Service Authority water and sewer area; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia believe the alleged water problems in the Prices Fork Community can be solved by means other than by incorporating the Prices Fork Community into a town such as the future extension of utility services by the Montgomery County Public Service Authority.

NOW THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia as follows:

1. The Board of Supervisors of the County of Montgomery opposes the Petition for Incorporation of the Prices Fork Community to be filed by the Committee for Incorporation of the Prices Fork Community with the Montgomery County Circuit Court.
2. The services required by the Prices Fork Community can be provided through the extension of existing services provided by the Montgomery County Public Service Authority in cooperation with the County.
3. It is not in the best interest or in the general good of all the inhabitants within the proposed Prices Fork town boundary to create an additional layer of local government along with additional taxes when the existing county government can provide the services required by the citizens of the Prices Fork Community.
4. The citizens of the Prices Fork Community can preserve the identity of the Prices Fork Community by means other than seeking town status.

The vote on the foregoing motion was as follows:

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

Position Conversion

On a motion by Ira D. Long, seconded by May W. Biggs and carried,

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby authorizes the part-time Secretary A position assigned to the Office on Youth be converted to a full-time Secretary C position assigned to support the division of Human Services and authorizes the position be filled.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	Joe C. Stewart
Ira D. Long	
Mary W. Biggs	
Annette S. Perkins	

Larry N. Rush
Joseph V. Gorman, Jr.

COUNTY ADMINISTRATOR'S REPORT

Revenue Sharing-Highway Funds- The County Administrator stated that the Board needs to notify the Virginia Department of Highway their intentions in using the remaining funds from the County Primary and Secondary Road Fund Revenue Sharing Program from the new Elliston Site High School and Crozier Road. It was the consensus of the Board to notify VDOT that they will be using the remaining funds for additional projects.

Supervisor Rush left at 8:07 p.m.

BOARD MEMBERS' REPORT

Supervisor Long Greenbox Committee Meeting, Supervisor Long distributed out minutes of the Greenbox Committee Meeting to the Board.

Supervisor Perkins attended the High Growth Forum in Fredericksburg and found it highly informative. Supervisor Perkins also visited several sites in the County with the County Administrator.

Supervisor Perkins gave a list of several road complaints to the County Administrator to forward to VDOT.

Supervisor Stewart commented on the excellent job VDOT did in clearing out the culvert on Route 636 and requested a letter be sent to VDOT commending them.

Supervisor Biggs School Board Meeting, Fred Morton, Superintendent of Schools, presented an annual Board and Superintendent Relations report. Supervisor Biggs asked that each Board member receive a copy of this report. Also the State is looking at using Bethel Elementary as a regional site for the Best Practice Center.

Planning Commission, The Planning Commission has requested copies of the Water and Wastewater Study of 1993.

Supervisor Biggs attended the Town/County Liaison meeting and the High Growth Forum Conference.

Juvenile Detention Home- Supervisor Biggs asked if Montgomery County will be sending children to the NRVJDH in the upcoming fiscal year. The County Administrator stated that children would continue to be sent to the NRVJDH.

Supervisor Politis Brush Creek Road, Supervisor Politis reported that another accident occurred on this road last week and he has met with VDOT concerning the condition of this road. He suggested one solution is to add this road to the maintenance project which will cost around \$160,000. Another meeting is scheduled to discuss alternative solutions.

Chairman Gorman High Growth Forum Conference, Chairman Gorman gave a brief summary of the conference and stated he would get copies to the Board on the conference. He stated that Montgomery County was the most western locality represented.

William Flinchum Rezoning Request- The Chairman asked the County Attorney to review this request and report back to him on spot zoning and if this rezoning is compatible with the

comprehensive plan.

Police Security at Radford Arsenal- Chairman Gorman stated that the County Administrator and the County Attorney are continuing to work with the government on this issue.

INTO EXECUTIVE SESSION

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously,

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

- | | | |
|---------------------|-----|---|
| Section 2.1-344 (A) | (1) | Appointment of Personnel |
| | 1. | Community College Board |
| | 2. | Library Board |
| | 3. | Planning Commission |
| | 4. | Social Services |
| | 5. | Planning District Commission
(Board Member Appointment) |
| | (3) | Discussion or Consideration of the
Condition, Acquisition or Use of Real
Property for Public Purpose. |
| | 1. | Old Social Services Building |
| | 2. | Solid Waste Collection Site |
| | (7) | Consultation with Legal Counsel and
Briefings by Staff Members,, Pertaining to
Actual or Probable Litigation, or Other
Specific Legal Matters Requiring the
Provision of Legal Advice by Counsel. |
| | 1. | Contractual Services - Mid-County
Landfill |

The vote on the foregoing motion was as follows:

AYE

James D. Politis

Mary W. Biggs

Ira D. Long

Annette S. Perkins

Joe C. Stewart

Joseph V. Gorman, Jr.

NAY

None

ABSENT

Larry N. Rush

OUT OF EXECUTIVE SESSION

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

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

June 22, 1998

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The vote on the foregoing motion was as follows:

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

CERTIFICATION OF EXECUTIVE SESSION

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened an executive 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 executive 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the executive meeting were heard, discussed or considered by the Board.

VOTE

AYES

Joe C. Stewart
Mary W. Biggs
Ira D. Long
James D. Politis
Annette S. Perkins
Joseph V. Gorman, Jr.

NAYS

None

ABSENT DURING VOTE

Larry N. Rush

ABSENT DURING MEETING

Larry N. Rush

APPOINTMENTS

New River Valley Community College Board

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby reappoints **Jo K. Kafer** to the **New River Valley Community College Board** effective July 1, 1998 and expiring June 30, 2002.

The vote on the foregoing motion was as follows:

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

Montgomery-Floyd Regional Library Board

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby reappoints **Jane Mitchell** to the **Montgomery-Floyd Regional Library Board** effective July 1, 1998 and expiring June 30, 2002.

The vote on the foregoing motion was as follows:

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

Planning Commission

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby appoints **James E. Martin** to the **Planning Commission** effective July 1, 1998 and expiring June 30, 2002.

The vote on the foregoing motion was as follows:

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

Social Services Board

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby reappoints **Emily Stuart** to the **Social Services Board** effective July 1, 1998 and expiring June 30, 2002.

The vote on the foregoing motion was as follows:

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

Planning District Commission (Board Member Appointment)

On a motion by Ira D. Long, seconded by Joe C. Stewart and carried unanimously,

BE IT RESOLVED, That the Montgomery County Board of Supervisors hereby appoints **Annette S. Perkins** to **the Planning District Commission** effective July 1, 1998 and expiring June 30, 2001.

The vote on the foregoing motion was as follows:

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

ADJOURNMENT

On a motion by Ira D. Long, seconded by Annette S. Perkins and carried unanimously, the Board adjourned to Monday, July 13, 1998 at 7:00 p.m.

The vote on the foregoing motion was as follows:

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

The meeting adjourned at 10:30 p.m.

ATTEST

—
CHAIRMAN

COUNTY ADMINISTRATOR