

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF SEPTEMBER 21, 2010 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT THE CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON SEPTEMBER 21, 2010 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; D. Michael Barber; Cord Hall; Steve Huppert; D. Henry Showalter; Bradford J. Stipes; James H. Vanhoozier. ABSENT: None.

ADMINISTRATION PRESENT: Interim Town Manager Barry Helms; Town Clerk Michele M. Stipes; Town Attorney Jim Guynn; Planning Director Randy Wingfield; Public Relations Officer Becky Wilburn; Finance Director/Treasurer Val Tweedie; Director of Engineering and Public Works Wayne Nelson.

PLANNING COMMISSIONERS PRESENT: Chairman Craig Moore; Kevin Conner. ABSENT: Wayne Booth; Mike Byrd; Ann H. Carter.

PLEDGE OF ALLEGIANCE.

AGENDA AMENDMENT – Councilman Stipes made a motion to amend the agenda to include a Street Committee recommendation for Subdivision of Lot 12A, Phase XII, Christiansburg Industrial Park, creating 2 lots on Prospect Drive. The subdivision request was initially scheduled to come before Council at the October 5, 2010 regular meeting, which was recently cancelled by Council due to a conflict with the annual VML Conference. Waiting until the second meeting in October could affect the intended sale of a portion of this property. Councilman Vanhoozier seconded the motion and Council voted as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. Mayor Ballengee directed that the Street Committee recommendation be included as agenda item number 11, and the Closed Meeting listed as item number 12.

**JOINT PUBLIC HEARING**

1. Rezoning request by Jeffrey C. and Teresa W. Stump for property located at 400 Starlight Drive (tax parcels 529 – ((A)) – 16 and 17) from R-2 Two-Family Residential to B-3 General Business. The property contains 0.596 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Interim Town Manager Helms provided each Councilmember with a copy of the proffers that were submitted by the Stumps shortly before the Council meeting began and he reviewed those proffers with Council. A copy of the submitted proffers is attached herewith and made a part of these minutes.

Mr. Dennis Kearnin of Starlight Drive expressed his opposition of the rezoning request. Mr. Kearnin said permitting a type of business allowed by the B-3 General Business District in an R-2 Two Family Residential neighborhood will not benefit the neighborhood and will devalue the existing properties. Mr. Kearnin commented that a neighborhood that is presented as residential should remain as such, and that there are plenty of businesses, and empty buildings on connecting Roanoke Street, that would be a much more suitable location for a business. He also mentioned the condition of Starlight Drive, including poor sight-distance near the Stump's property. Mr. Kearnin asked Council to hold the Town's residential neighborhoods in high esteem and to deny the request to rezone property on Starlight Drive to accommodate a business. Mr. Chris Corneal, Mr. Randolph Woolwine, Mr. Marshall Thomas, and other residents of Starlight Drive, voiced their opposition to the request by echoing the comments made by Mr. Kearnin. Several residents voiced their concerns with parking and traffic, which would likely be a problem if this rezoning is approved and traffic is increased on Starlight Drive. Several residents spoke of the limited sight-distance and narrow width of Starlight Drive. Mr. Paul Sarver of nearby Spruce Street urged Council to allow Starlight Drive to remain residential by denying the request. Mr. Sarver also mentioned the condition of Starlight Drive, which, he said, is narrow and steep with limited sight-distance and warrants denying the request. One concerned resident of Starlight Drive mentioned the drive-in theater located on Starlight Drive and the impact the theater traffic has on the neighborhood during the summer months, commenting that traffic from movie-goers makes access to and from the neighborhood difficult, and often theater overflow traffic will park on private properties along Starlight Drive, creating a congested roadway.

### REGULAR MEETING

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of September 7, 2010. The corrections were made as follows:

Councilman Vanhoozier – Page 5, Town Manager's Reports, Huckleberry Trail bridge discussion, discrepancy in noted dollar amounts, both should be "\$275,000".

Councilman Huppert – Page 3, Item #6 B, Set Regular Meeting dates of Council - Councilman Huppert and Councilman Hall voted "Nay" on the motion. Page 4, Item #9, Appointment to fill the unexpired term of Councilman Huppert - Councilman Vanhoozier made the motion to appoint Ann Carter.

Councilman Hall – Page 3, Discussion by Mayor and ... Item #3, Campaign Finance Reporting, add his comments "...adds to the transparency of Town government".

Councilman Barber made a motion to approve the Minutes with the requested changes/corrections, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier.

### CITIZEN HEARINGS:

1. Scott Hill, CEO of Montgomery Regional Hospital, to address Council seeking a Resolution of Support for a proposed neonatal unit. Mr. Hill submitted to Council for its consideration a Resolution in Support of Lewis-Gale Medical Center's Application to Establish a Neonatal Special Care Unit. Mr. Hill explained that Montgomery Regional Hospital partners with Lewis-Gale Medical Center in the HCA Virginia System to provide better access to services to the community. Currently, the neo-natal intensive care unit at Montgomery Regional Hospital consists of two bassinets, forcing the hospital to rely on larger regional hospitals for specialized care. Lewis-Gale Medical Center, at this time, has not been approved to provide neonatal special care services, and newborns at Lewis-Gale Medical Center in need of neonatal special care services must be transferred to another facility. Mr. Hill said that the Resolution of Support includes Council's request that the Virginia Commissioner of Health grant approval for expansion of the Neonatal Special Care Unit. A draft Resolution was presented to Council and will be attached herewith if adopted by Town Council during the Discussions by Mayor and Council Members portion of the meeting.
2. Regina Elsner, Regional Planner with the New River Valley Planning District Commission, and Dennis Reece of Citizens Telephone Company, to update Council on the NRV Wireless Authority. Ms. Regina Elsner introduced Mr. Dennis Reece, Mr. Gary Reedy and Mr. Robert Weeks, who are involved in this project, and provided Council with a Power Point Presentation outlining the long-term plan for the NRV Wireless Authority. The Wireless Authority was incorporated in 2008 and immediately began seeking funding, and was awarded funding in August, 2010. Ms. Elsner shared with Council a map indicating the service areas from Wythe County to Botetourt County up the Route 100 corridor, traversing seven counties with over one hundred eighty-six miles of fiber backbone. The service will bring high speed internet to fifty-nine K-12 public schools, two community colleges, two higher education institutions, seven healthcare providers, and fourteen public libraries. Of the 11.5 million dollar project, 9.2 million has been awarded with matching funds provided by Virginia Tobacco Commission, Citizen's Coop, and NRVNWA. Mr. Dennis Reedy reported that there are many environmental assessments necessary for this project, which must begin within six months or risk losing the awarded funding. The Wireless Authority is asking for help from localities in securing easements and other various land matters that may arise. At Council inquiry, Mr. Reedy explained that the Grant awarded for this project provides for a middle mile access to institutions and will not be offered to residential neighborhoods; however, the cable is designed to lower the connection cost for other providers. Councilman Stipes said he would like any new lines to be set underground, rather than overhead. Mr. Reedy said some will be underground, but it will be feasible for others to be aerial.
3. Citizen's Comments.
  - a. Ms. Connie Turner, Alleghany Street, referenced a letter she received from the Town notifying her that preliminary plans would begin on the Alleghany Street sewer project this summer. Ms. Turner said she has not seen any indication that the project has begun and she requested a progress report. Ms. Turner also asked about the status of the flags/banners to be hung from the light posts along Main Street, especially with Veteran's Day next month. Interim Manager reported that he is in the process of gathering the information necessary and plans to place an order for the banners soon.
  - b. Mr. Roger Sutphin asked Town Council to reconsider their vote to freeze Town employee step increases. Mr. Sutphin said he is concerned that this action may create a hardship for many Town employees.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Possible changes to the Noise Ordinance; due to recent court case the noise ordinance needed updating to make it less subjective. Mayor Ballengee reported that Council was previously provided a draft copy of the proposed Noise Ordinance amendments for its consideration. Councilman Barber asked if the portion of the Ordinance concerning livestock would impact the livestock market, and Attorney Guynn replied that it would not. Councilman Hall suggested changes that would clarify definitions of amplifying equipment, and adjust the fines for the fourth penalty level to say, "No more than \$2,500 and no less than \$1,000". Councilman Stipes questioned the penalty portion of the Ordinance regarding the party responsible for the source of the noise. Attorney Guynn said the Ordinance shifts the burden to the owners of the property to prove they are not responsible for the noise source. There was some discussion regarding trash pick-up by contractors, which according to the Ordinance would not be permitted before 7:00 A.M. Attorney Guynn commented that he felt it was best for the Town to include this guideline. Noting that the Ordinance allows a penalty waiver for "undue hardship", Councilman Hall asked if the Ordinance should define "undue hardship". Attorney Guynn advised against specifically defining "undue hardship" and to keep the guideline broad, thereby eliminating exclusiveness. Mayor Ballengee asked Police Chief Sisson for his opinion of the proposed ordinance amendments. Chief Sisson, who was integral to the drafting of the amendments, said the ordinance is productive for the Police Department, and enforceable as written. Attorney Guynn will draw up a final copy of the Noise Ordinance which will reflect Council's changes.
2. Revisit vote on Step Increase freeze and explore alternatives. Councilman Vanhoozier stated that because of comments he has heard since voting to freeze employee step increases, he decided to research the matter of an employee step increase freeze versus employee furlough days. Councilman Vanhoozier said he came to the understanding that freezing step increases at this time is unfair to employees because it allowed some to receive step increases this year, but not others. Furlough days are fair to employees in that they affect everyone equally. Councilman Vanhoozier determined that requiring three furlough days for employees will net approximately \$141,000 in savings to the Town, which is almost the same savings as the step increase freeze. Councilman Vanhoozier said step increases are important for employees because often employees are hired at the lowest wage and wages are increased with an increase in job knowledge and skill. Councilman Showalter acknowledged that many employees were present and stated that the decision to freeze step increases wasn't an easy one to make, but due to the deficit believes the Town has no other choice. Councilman Showalter said that while he initially introduced the idea of employee furlough days, he does not support that action at this time. Councilman Showalter said the Town is under a hiring slow down, and with the bad economy, he continues to support a freeze on step increases until the budget can be balanced without borrowing from reserves. He does not intend for this to be a permanent action, with hopes to re-visit the matter with the 2011-2012 budget preparation. Councilman Showalter said his objective is to keep employees' jobs. Councilman Huppert stated that he supported the motion to freeze step increases, even though it was a hard decision, because he doesn't want Christiansburg to face the challenge of laying-off employees. Councilman Huppert said he believes the freeze, which he hopes to be temporary, is a responsible way to protect the future jobs of employees, and he reminded Council that its decision at the September 7, 2010 regular meeting was unanimous. Councilman Stipes stated he acted hastily with his decision to support the motion to freeze employee step increases at the September 7<sup>th</sup> meeting, and that he wasn't prepared to take action on the matter at that time, while acknowledging that Council had discussed this possibility in the past. Councilman Stipes said he supported freezing the step increases because he is concerned with the budget deficit and preserving employee jobs, but is now convinced that it would be better to find an alternative action that would affect employees equally. Councilman Stipes further commented that step increases are an attractive hiring incentive and a covenant with employees. Councilman Stipes suggested rescinding the vote to freeze step increases and to impose a three day employee furlough, which was an option discussed by Council at previous meetings. Councilman Hall stated that he did not act hastily with his decision at the September 7<sup>th</sup> meeting, and that he voted his conscience based on the information he was provided and he stands by his vote. Councilman Hall said that while he can't predict the future, he can get an idea of the future based on trends. Councilman Hall said this is action Council should have taken several months ago. While he understands the impact this decision has on employees, Councilman Hall said his constituency is the Town and he will not support rescinding Council's action to freeze the step increases, which he believes would eventually lead to lay-offs. Councilman Hall said he was elected to make tough decisions at times and he won't avoid doing so. Councilman Hall said town employees are welcome to contact him for further explanation of his position. Councilman Hall further said he will not support a three day employee furlough because this cuts into family finances and takes money out of the employee pockets, negatively impacting family budgets. Councilman Barber, Chair of the Finance Committee, said that budget figures show that reserve funds have increased over the years, which indicates to him that not all budgeted funds have been spent. Councilman Barber said he is going to look to Town Administration and Department Heads to trim individual department budgets and to help cut costs within their departments. Councilman Barber said he supports lifting the freeze on the step increases, and assured Council he will see to it that Christiansburg has a balanced budget next year without borrowing from reserves. Councilman Showalter asked for a guarantee from Council Members rescinding their vote to freeze step increases that there will be no tax increases imposed, or services cut, to balance next year's budget. Councilman

Showalter pointed out that step increases are not a one time budget issue, but that step increases affect payroll every year. After further discussion, Councilman Vanhoozier made a motion to rescind the employee step increase freeze, seconded by Councilman Barber. Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Nay; Huppert – Nay; Showalter – Nay; Stipes – Aye; Vanhoozier – Aye. Hearing a tie, Mayor Ballengee commented that Councilman Hall made a good point when he noted that Council should have taken action on this matter during budget preparation. However, Mayor Ballengee commented that he believes furlough days are more palpable to employees and Mayor Ballengee voted Aye, breaking the tie and rescinding the step increase freeze.

Councilman Vanhoozier then made a motion that all town employees be furloughed three (3) days between now and May 31, 2011. That one of the days will be between November 1, 2010 and December 31, 2010, the second during the month of February or March, 2011, and the third during the month of April or May, 2011. This time can be taken in half day increments. The Interim Town Manager and the Department Heads shall work together to determine how to schedule the furlough days. A furlough day is a day that an employee is off of work without pay. Councilman Barber seconded the motion and Town Clerk Stipes polled Council as follows: Barber – Aye; Hall – Nay; Huppert – Nay; Showalter – Nay; Stipes – Aye; Vanhoozier – Aye. Hearing a tie, and noting that furlough days affect all employees equally, Mayor Ballengee voted Aye, breaking the tie and approving the motion that all town employees be furloughed three (3) days as outlined above.

3. Update on Blacksburg Transit service in Christiansburg; review proposed changes in the routes and service times. Councilman Vanhoozier, who serves on the Christiansburg Bus System Working Group, brought to Council for its consideration the proposed schedule changes and fare change to the Christiansburg Bus System as recommended by the Working Group. The Working Group believes the proposed changes will more accurately meet the needs of Christiansburg, and hopefully, boost ridership. It is the recommendation of the Working Group to lower the Go Anywhere fare to \$.50 per trip. This reduction would be consistent with fares across the system, and it is the hope of the Group that the lower fare would be more affordable for citizens traveling to go shopping, to appointments, and to work. Proposed changes to the schedule include expanding the Explorer route hours Monday through Friday and eliminating service on Saturday. The Go Anywhere route would be expanded Monday through Friday, and Saturday morning. The Shopper Express route would be eliminated Monday through Thursday, with a slight reduction of hours on Friday and Saturday. The Explorer and Shopper Express routes will connect to the Recreation Center. Earlier hours of operation of the Explorer and Go Anywhere routes were added to support commuter service within Christiansburg. Blacksburg Transit (BT) has asked for Council's approval of these recommendations. Councilman Vanhoozier said he has been outspoken at the Working Group meetings about Council's concerns with low ridership and is pleased that BT is making an effort to address these concerns. Councilman Barber said he hopes the proposed changes will encourage more ridership, but if ridership doesn't increase within the next six months, Council may need to consider cancelling the service. Councilman Huppert noted the roughly two hundred thousand dollars the Town has spent implementing and supporting the bus system. Councilman Huppert, while initially supporting the service, said he now questions the feasibility of continued support considering the budget deficit faced by the Town, further suggesting the Town consider a town bus service operated similarly to the Two-Town Trolley. Councilman Vanhoozier commented that BT is currently working on such a service. Councilman Huppert further expressed concern about the lack of information from Ms. Martin of BT pertaining to bus ridership. Councilman Huppert said he knows that senior citizens rely on the Go Anywhere bus for transportation, but noted that transportation service is provided to seniors through the New River Valley Agency on Aging at no cost. He suggested that citizens be given a flyer when they get on a bus urging them to contact the Town regarding the importance of the bus service to them as riders. Councilman Hall said it would help in the decision making process if Council could obtain specific numbers from BT on Christiansburg ridership. Councilman Barber said if BT can't show dramatic improvements in ridership during the holiday season, and with the proposed changes, Council can consider the service unsuccessful. Mayor Ballengee suggested waiting until the bus service anniversary date to get specifics on ridership from BT and recommended Council consider the changes presented tonight as proposed by BT. Mayor Ballengee then recognized Town Planner Nichole Hair who has been a valuable asset through knowledge and involvement as a member of the Working Group. Councilman Showalter inquired about the feasibility of a commuter service between Blacksburg and Christiansburg since there has been an expressed interest in this route. Councilman Vanhoozier said that possibility is being discussed in current BT meetings. Councilman Stipes said he realizes that the bus service can't be sustained at the current ridership and he hopes that will improve with the adoption of the proposed route and fare changes. Councilman Stipes said one year is not enough time to establish a service of this complexity, but understands it being called into question considering its financial impact on the Town. Councilman Barber made a motion to adopt the proposed changes to the routes and fares as recommended by Blacksburg Transit, seconded by Councilman Stipes. Town Clerk Stipes polled Council on the motion as follows: Barber – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.

4. Resolution authorizing sole source procurement of microturbine; The Virginia Public Procurement Act allows for sole source procurement in specific situations. Because of the design constraints there is only one source for the microturbine to be used at the Waste Water Treatment Plant energy recovery project. It was noted that funds have been budgeted for this project. Councilman Vanhoozier made a motion to adopt the Resolution, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. A copy of the Resolution is attached herewith and made a part of these minutes.
5. Resolution seeking action by the General Assembly and Governor to prohibit all predatory, usurious lending practices in the Commonwealth of Virginia; the City Manager of Stanton has requested a Resolution of Support for "payday lending" reform. Councilman Vanhoozier made a motion to adopt the Resolution, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. A copy of the Resolution is attached herewith and made a part of these minutes.
6. Council to set the personal property tax relief percentage at 52% as required by the Personal Property Tax Relief Act. Council must set the personal property relief percentage each year. Interim Town Manager Helms explained that the requirement to update rates annually for Personal Property Tax Relief Act is a result of legislative action in 2004. In 2004, legislature capped the dollar amount each locality is entitled to receive, and as a result, the Town can not bring in more personal property tax dollars than what was established by the General Assembly. This year the rate is to be set at 52%. This action is part of the phase out of the car tax relief imposed several years ago and applies to personal vehicles only. Councilman Barber made a motion to set the Personal Property Tax Relief rate at 52% for the tax year 2011, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.
7. Joint Tourism Cooperative Agreement. The draft agreement is provided for discussion and consideration at a later date. Councilman Showalter reported that the Tourism Development Commission met on September 3, 2010 and determined that additional changes needed to be made to the cooperative agreement. These changes will be made and a final draft forthcoming. Once received, Councilman Showalter said he will forward the document to Council members. Councilman Huppert said there are advantages to Christiansburg having its own, independent tourism initiative, and recommended the Town consider making this a staff position. Councilman Showalter responded that a tourism initiative will be more successful if the Town continues to work in partnership with Blacksburg and Montgomery County.
8. PPEA guideline revisions. The Public-Private Education Facilities and Infrastructure Act has been revised. The Town's guidelines for processing proposals must be approved by Town Council in order to process any proposals received. A draft revision of the guidelines is provided for consideration. Interim Town Manager Helms reported that the guidelines are being upgraded to reflect statute changes. Council will take action on this matter at the October 19, 2010 regular Town Council meeting.
9. Council consideration of Resolution of Support for Route 114 Phase II Funding in the upcoming VDOT Six-Year Improvement Plan Authorization. Recent support by VDOT Staff, Mr. Brugh at the MPO, and a personal visit to the project site by VDOT Secretary Sean Connaughton have increased the possibility that Route 114 Improvements might be earmarked to complete the project into North Franklin Street. Councilman Stipes presented, for Council consideration, a Resolution to Virginia Department of Transportation requesting that it identify project funding as soon as possible for the Route 114, Phase II improvements. Mayor Ballengee noted that the intent of the Resolution is to get VDOT to include the project in its 6-year plan. Councilman Vanhoozier made a motion to adopt the Resolution, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. A copy of the Resolution is attached herewith and made a part of these minutes.
10. Discussion concerning our representative to the Blacksburg-Christiansburg-VPI Water Authority, and Montgomery Regional Solid Waste Authority. Current representative's term expires June 2014 for the Montgomery Regional Solid Waste Authority, and August 2011 for Blacksburg-Christiansburg-VPI Water Authority (this is normally a four year term). Mayor Ballengee reported that at the August 3, 2010 regular meeting, Council voted to reappoint Lance Terpenney as representative to the Blacksburg-Christiansburg-VPI Water Authority for a one-year term commencing September 1, 2010. The representative has continued serving his four year term on the Montgomery Regional Solid Waste Authority. Mayor Ballengee noted that the representative is eligible to serve as a resident of Christiansburg. Councilman Hall called into question the prudence of allowing Mr. Terpenney to continue to represent the Town on these authorities considering that Council released him from Town employment due to a lack of confidence in his abilities, and the fact that he now serves another locality, further noting the large stipend that is afforded the representative. Councilman Hall suggested that it may be in the Town's best interest to appoint an active staff member to represent the Town, and he previously spoke with Interim

Town Manager Helms about any active staff members who would be equally eligible candidates to serve in this capacity. Interim Manager Helms told him there were several staff members who could successfully serve on both authorities. Mayor Ballengee asked if rescinding this appointment would set precedence for other former Council Members who continue to serve as representatives on commissions, authorities and committees. Councilman Hall replied that it would not, because of the circumstances surrounding the resignation of Mr. Terpenney, including Council's stated lack of confidence in his abilities. Councilman Hall then made a motion to replace Lance Terpenney as Christiansburg's representative on the Blacksburg, Christiansburg, VPI Water Authority, and the Montgomery Regional Solid Waste Authority, and further, recommending that Wayne Nelson and Barry Helms, who are equally qualified, to serve on these authorities. Mayor Ballengee noted that the Montgomery Regional Solid Waste Authority has not requested a replacement for Mr. Terpenney, and his term hasn't expired. Mayor Ballengee commented that it may be appropriate to ask Mr. Terpenney to resign and Interim Town Manager Helms agreed, noting that there are no provisions to remove an appointed representative. Councilman Barber remarked that Council's reappointment of Mr. Terpenney to the Water Authority happened around the same time as Mr. Terpenney's resignation as Town Manager and the subsequent retirement package discussions. Councilman Barber said this may be why some of the details of the reappointment were overlooked, such as the term duration and the stipend. Councilman Showalter asked if Wayne Nelson was willing to serve on the Montgomery Regional Solid Waste Authority, and if Interim Town Manager was willing to serve on the Blacksburg, Christiansburg, VPI Water Authority. Both men said they would be willing to serve on the respective authorities. Attorney Guynn said he would research this matter to see if there are provisions allowing Council to ask Mr. Terpenney to resign, and if so, would proceed in this direction. Councilman Hall's motion died for lack of a second, however, it is Council's intent to seek a replacement for Mr. Terpenney on the mentioned authorities, and will do so as advised by the Town Attorney.

11. Councilman Stipes and Councilman Vanhoozier – Street Committee Recommendation on:

1. Subdivision of Lot 12A, Phase XII, Christiansburg Industrial Park, creating 2 lots, Prospect Drive. Councilman Stipes reported that this request for property in the Christiansburg Industrial Park is to create two lots from one large lot for an impending sale. This plat has been reviewed by Town staff and conforms with the Town's subdivision ordinance. Councilman Stipes made a motion to approve the subdivision plat as presented, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier.

12. Closed Meeting:

- a. Request for a Closed Meeting under Section 2.2-3711 A(1), *Code of Virginia*, for the discussion of personnel matters regarding the Rescue Squad Captain's retirement and the status of the Lifesaving and Rescue Department. Attorney Jim Guynn advised that it would be inappropriate for Council to meet in Closed Meeting for the purpose of discussing the Rescue Squad Captain's retirement and the status of the Lifesaving and Rescue Department, because the Rescue Squad Captain is a Town employee, not a Council appointee. According to Attorney Guynn, the matter intended for discussion is not a personnel matter and should not be discussed by Council. Because of this advice, Councilman Barber made a motion to table the request for a Closed Meeting for the above stated purpose. The motion was seconded by Councilman Huppert and Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST(S) – Interim Town Manager Helms presented the following request(s) and recommended setting the Public Hearing(s) as indicated:

October 19, 2010

1. Conditional Use Permit request for a towing service in the B-3 General Business District, 2000 Roanoke Street.

On motion by Councilman Barber, seconded by Councilman Hall, Council voted to set the Public Hearing(s) as indicated. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

INTERIM TOWN MANAGER HELMS reported that St. Paul's Episcopal Church has requested the use of the Town Hall parking lot on October 28, 2010, from 6:00 PM to 9:00 PM. The church, which has on-street parking only, is holding a children's event that evening and is expecting heavy participation. Interim Town Manager Helms noted that the church currently uses the Town Hall parking lot on Sundays during its service hours.

INTERIM TOWN MANAGER HELMS reported that September 25, 2010 is National Prescription Drug Collection Day, the purpose of which is to collect, for proper disposal, household medications both over-the-counter and prescription. This free program is sponsored by grants and is intended to keep medications out of the water supply.

COUNCILMAN BARBER made a motion to adopt the Resolution in Support of Lewis-Gale Medical Center's Application to Establish a Neonatal Special Care Unit as presented earlier in the meeting by Mr. Scott Hill of Montgomery Regional Hospital. Councilman Huppert seconded the motion and Town Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. A copy of the Resolution is attached herewith and made a part of these minutes.

MAYOR BALLENGEE reported that the Town has received a request form Sue Farrare of the Montgomery Museum asking that it adopt a Resolution supporting the designation of the Wilderness Road: Virginia's Heritage Migration Route. A draft of the Resolution was provided by the Montgomery Museum. Councilman Stipes made a motion to adopt the said Resolution as outlined by Montgomery Museum, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Hall, Huppert, Showalter, Stipes, Vanhoozier. A copy of the Resolution is attached herewith and made a part of these minutes.

CLAY MCCOY, HUMAN RESOURCE DIRECTOR, submitted a copy of the draft *Employee Handbook* revision to each Council Member for review and future discussion.

MAYOR BALLENGEE recognized and thanked Mrs. Kelly Showalter for her efforts in designing and distributing the impressive pamphlet style maps of Christiansburg meant to be a tourism tool. The maps have been distributed to area hotels, restaurants, recreation facilities, and other points around town and have been well received by the owners of those establishments.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 10:10 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor