

## **From Town Council and Planning Commission Meeting Minutes related to "Sewer".**

### ***From 2001 Town Council Minutes***

1. July 3, 2001, Town Council: "Carl McNeil, realtor and agent for Kirby Connor, said that he intends to put five (5) single-family, single-wide homes on the property; no multi-family housing. The reason for requesting R-2 Multi-Family Residential has to do with the size of the building lots. Water and sewer is already located on the property."
2. July 3, 2001, Town Council: "3. Request to vacate street right-of-way - Fork Street, between Montgomery Street and Norfolk Southern railroad. If Council approves the vacation request, the Town Manager Terpenney recommended the Town keep a 20 foot wide utility easement down the center of the right-of-way due to an existing sewer line in that location. Councilman Ashworth made the motion to deny the vacation request, which was seconded by Councilman Barber. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Lester, and Weaver. NAYS: None. THE REQUEST IS DENIED."
3. July 17, 2001: Town Council: Progress Reports: "SEWER: 8 sewer connections, manhole maintenance, 2 sewer stoppages. ... CONST.: Chrisman St., sewer line replacement - 205' of 8" PVC pipe, 2 manholes.
4. July 17, 2001: Town Council: "Mayor Linkous asked if this was something the Water and Sewer Committee should look into. Manager Terpenney said that they should, and possibly the Finance Committee. Mayor Linkous then turned the matter over to the Water and Sewer Committee for their review and recommendation.
5. August 7, 2001: Town Council: Progress Reports: "SEWER: 1 1 sewer connections, manhole maintenance, 1 sewer stoppage. ..."CONST.: Chrisman St., sewer line replacement - 246' of 8" PVC pipe."
6. August 7, 2001: Town Council: "MR. BALLENGEE AND MR. BARBER - Water, Sewer & Solid Waste Committee Recommendation: 1. Dedication of utility easement, Evergreen Drive. This is an easement dedication by Thomas and Dorothy McFee for a public utility and drainage easement. Councilman Barber made the motion to approve the easement dedication which was seconded by Councilman Lester. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Lester, and Weaver. NAYS: None."
7. August 21, 2001: Town Council: Progress Reports: "SEWER: 4 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Chrisman St., sewer line replacement - sewer lateral change over. "
8. September 4, 2001: Town Council: Progress Reports "SEWER: 5 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Chrisman St., sewer line replacement, sewer lateral change over."
9. September 4, 2001: Town Council: Committee Appointments: "Water, Sewer and Solid Waste - Ballengee and Barber "
10. September 18, 2001: Town Council: "SEWER: 8 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Chrisman St., sewer line replacement - sewer lateral change over, Falling Branch Industrial Park, Sewer Project Phase II - seeding."

11. September 18, 2001: Town Council: (RE rezoning request): "In addition to the comments previously made concerning this request, Ronnie Sheppard, a resident along Route 114 said he understands there is no water or sewer on the property and questioned the operation of the business without either of these utilities. He stated that an auxiliary lane turning into the business would help with traffic control, but doesn't think the road is wide enough to accommodate such a lane. He also questioned VDOT's scheduled future repairs to Route 114, and the impact it will have on the business.
12. September 18, 2001: Town Council: (RE rezoning) "Patty Mostighami, the realtor representing Mr. Hazer, said the business will not go into operation until after VDOT begins their roadwork. At that time water and sewer will be placed on the property. VDOT is expected to take a portion of the front footage of this property making the lot small enough to only be suitable for this type of low key business. According to her, there will be very little traffic flow."
13. September 18, 2001: Town Council: Progress Report: "SEWER: 3 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Drainage and parking lot improvements Kiwanis Park. Clean up of Falling Branch Industrial Park sewer project-Phase II."
14. October 2, 2001: Town Council: Progress Report: "SEWER: 2 sewer connections, manhole maintenance, 1 sewer stoppage."
15. November 6, 2001: Town Council: Progress Report: "SEWER: 2 sewer connections, manhole maintenance, 1 sewer stoppage."
16. November 20, 2001: Town Council: "MR. BALLENGEE AND MR. BARBER Water, Sewer & Solid waste Committee Recommendation: Low water pressure in neighborhood along Peppers Ferry Road/Rt. 114. This matter was brought before Council at the time of the water rate increase this year. The committee has reviewed the problem and has tried to come up with the best possible solution. The Water, Sewer & Solid Waste Committee is recommending that the Town offer a suitable pump to residents, with the homeowners responsible for installation fees. There are approximately twelve homes that will benefit from the pumps. Councilman Ballengee said that Ferguson Enterprise offers a suitable pump for approximately two hundred seventy-five dollars. Labor costs will range from one hundred to three hundred dollars depending on each installation. Manager Terpenney stated that pressure may still fall below normal due to the varying level of water in the water tank. On motion by Councilman Ballengee, seconded by Councilman Ashworth, Council voted to approve the recommendation as follows: AYES: Ashworth, Ballengee, Barber, and Weaver. NAYS: None."
17. November 20, 2001: Town Council: Progress Report: "SEWER: 5 sewer connections, manhole maintenance. "
18. December 4, 2001: Town Council: Progress Report: "SEWER: 2 sewer connections, manhole maintenance. "
19. December 18, 2001: Town Council: Progress Report: "SEWER: 2 sewer connections, manhole maintenance. "

### ***From 2002 Planning Commission Minutes***

1. April 1, 2002: Planning Commission: "A rezoning request by Knob Hill Development Corporation for property on the northern side of Roanoke Street (tax parcel 502 – ((A)) – 31) from A Agricultural to R-1 Single-Family Residential. Vice-Chairperson Wade introduced the rezoning request by Knob Hill Development Corporation. Mr. Terpenney detailed the location of

the property on Roanoke Street, across from Kirby Drive. Commissioner Lawless inquired to how the property would be accessed. Mr. Thom Poff stated the property would be accessed from Roanoke Street only. Commissioner Lawless inquired if water and sewer were available for the property. Mr. Terpenney stated water is accessible now and there are plans for sewer connections. Commissioner Carter asked if there would have to be drawings of a street provided. Mr. Terpenney stated plans for a street would have to be submitted. Chairperson Canada entered the meeting and asked to be updated on the issues addressed. Mr. Terpenney detailed all the issues discussed to this point.

2. October 28, 2002: Chairperson Canada introduced the request. Wes Davidson of Gay and Keesee gave a presentation. Mr. Davidson stated the development would try to keep the property wooded. Proffers have been made to limit no more that 1.35 units per acre. Vice-Chairperson Wade inquired if a new street will be built. Mr. Davidson stated a new street would be built off Mount Pleasant Road to the sewer pump station. Mr. Keesee stated proffers are being made for the Montgomery County rezoning. The proffers include an agreement to pay Montgomery County \$2500 per lot for Town connection fees.
3. November 18, 2002: Planning Commission: "Chairperson Canada stated there are concerns for the extension of the streets. Mr. Keesee stated the street north off of Howerly Street would not be built and that it is a paper street and would remain this way. Mr. Keesee stated that the proposed new street off Mount Pleasant Road is on the outside of the curve and that this should not cause the same concerns it would if it were inside the curve. Commissioner Lawless stated that there is a natural drainage way in this area. Mr. Keesee stated that the proposed road closely follows the existing access to the Town's sewer pump station and added that his firm has not looked at stormwater management in great detail but that it would be studied. Commissioner Stipes inquired as to where the conservation area was located and Mr. Conner indicated the approximate area."

### ***From 2002 Town Council Minutes:***

1. January 15, 2002: Town Council: Progress Report: "... SEWER: 4 sewer connections, manhole maintenance, 2 sewer stoppages. ... CONST.: Sewer project wayside pump station. Drainage and parking lot improvements - Kiwanis Park."
2. February 5, 2002: Town Council Progress Report: " ... SEWER: 2 sewer connections, manhole maintenance, 2 sewer stoppages. ... CONST.: Sewer project Wayside pump station. Drainage and parking lot improvements - Kiwanis Park."
3. February 19, 2002: Town Council: Progress Report: "... SEWER: 5 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Sewer project Wayside pump station. Drainage and parking lot improvements - Kiwanis Park."
4. March 5, 2002: Town Council: Progress Report: "... SEWER: 5 sewer connections, manhole maintenance. ... CONST.: Sewer project-Wayside pump station, building bike trail-College and Depot Streets."
5. March 19, 2002: Town Council: Progress Report: "... SEWER: 5 sewer connections, manhole maintenance, 2 sewer stoppages."
6. April 2, 2002: Town Council: Progress Report: " ... SEWER: 3 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Drainage and parking lot improvements-Kiwanis Park, sewer project-Virginian Drive, 235' of 8" sdr 35 pipe, 1 manhole base."

7. April 16, 2002: Town Council: "Street Committee ... 3. Subdivision of Hite Property for Martha Ann Hite and Cassandra Scott Olson, 3 Lots, West Main Street - Councilman Lester reported that the rear portion of this property abuts First Street, which is a gravel road. The owners wish to divide the back portion of the lot into two lots. Councilman Barber questioned the developer's obligation to upgrade the gravel road. Manager Terpenney told him that the developer is not required to upgrade an existing Town road for a subdivision. The developer will be obligated to dedicate a right-of-way to the Town, as well as pay the cost of water and sewer connections to the properties. Councilman Barber asked if the owners were aware of these requirements, and Manager Terpenney said that the owners would be given an estimate on the cost of the water and sewer connections before any work is done. Councilman Ballengee questioned the Town responsibility to improve the gravel road. Manager Terpenney said that it is already the Town's responsibility to maintain the road; however, typically, a gravel road is only upgraded when serving several residences. Councilman Lester said all is in order with the plat and made a motion to approve the plat as presented, seconded by Councilman Ashworth. Council's vote is as follows: AYES: Ashworth, Ballengee, Barber, Lester, and Weaver. NAYS: None. ABSTAIN: Carter."
8. April 16, 2002: Town Council: Progress Reports: "... SEWER: 17 sewer connections, sewer project Mountain View Drive. ... CONST.: Drainage and parking lot improvements-Kiwanis Park. Sewer project Virginian Drive. 158' 8" sdr 35 pipe, 133' 8" DI pipe, 6-manhole bases, 60' 4" sld 40 pipes."
9. May 7, 2002: Town Council: Progress Reports: "... SEWER: 3 sewer connections, 1 sewer stoppage, manhole maintenance. ... CONST.: Drainage and parking lot improvements-Kiwanis Park. Sewer project Virginian Drive. 229' 8" sdr 35 pipe, 1 manhole base, 62' 6" sdr 35 pipe."
10. May 21, 2002: Town Council: Progress Reports: "... SEWER: 6 sewer connections, 1 sewer stoppage, manhole maintenance. ... CONST.: Water project Cumberland Drive - 36' 8" D.I. pipe, 1 - 8" valve, 1 - 8" pressure reducing valve, sewer project Wayside Drive - 1 manhole, 52' 6" sdr 35 pipe, 279' 8" sdr 35 pipe."
11. June 4, 2002: Town Council: "1. Proposed Budget for the Fiscal Year 2002-2003. Councilman Lester reported that for fiscal year 2002-2003, projected General Fund revenue is \$16,645,255 and projected Enterprise Fund revenue is \$4,320,000, for a total budget of \$20,965,255. He explained that due to the condition of the economy, revenues were down approximately 1.4 million dollars; not only from state allocations, but also the Town's local revenue including property taxes, permits and licenses, water and sewer connections, just to name a few. ... Proposed fees to be increased are: - water and sewer connection fees - from \$500.00 to \$1,000.00 each. ... Major capital improvements to remain in the budget are: continued work at the Harkrader Sports Complex. -continued water and sewer improvements to the east end of Town - downtown redevelopment - stormwater management - municipal building renovation "
12. June 4, 2002: Town Council: "PUBLIC HEARUNG REQUEST - Town Manager Terpenney presented the following requests and recommended setting the Public Hearings for July 2, 2002. 1. Water and sewer connection fee increase proposed in the 2002-2003 budget. 2. Vehicle decal fee increase proposed in the 2002-2003 budget. 3. Building permit fees increase proposed in the 2002-2003 budget. 4. Garbage service fees increase proposed in the 2002-2003 budget.
13. June 4, 2002: Town Council: Progress Reports: " ... SEWER: 5 sewer connections, manhole maintenance. ... CONST.: Sewer project Wayside Drive- 2 manholes, 78' 6" sdr 35 pipe, 341' 8" sdr 35 pipe.
14. June 18, 2002: Town Council: Progress Reports: "... SEWER: 12 sewer connections, manhole

maintenance, 1 sewer stoppage. ... CONST.: Sewer project Wayside Drive, 4 manholes, 34', 6" sdr 35 pipe, 624', 8" sdr 35 pipe.

15. July 2, 2002: Town Council: Public Hearing: "1. Increase in water and sewer connection fees, building permit fees, Town decal fees, and garbage collection fees as proposed in the 2002-2003 Budget. The fee increases are as follows: - water and sewer connection fees - from \$500.00 to \$1,000.00 each. - vehicle decals - up 20% - building permit fees - increase .03/sq. ft. for residential and .50/\$1,000 value for commercial/industrial - garbage service fees - up 25%.
16. July 2, 2002: Town Council: Street Committee: "1. Resubdivision of Lots 8-26, Oak Tree, Phase IV and new 15' PUE, 19 Lots, Red Leaf Court. Councilman Lester explained that the easement will be extended to include the sewer line. There was also a slight change in the lot line to accommodate an existing building. All is in order and Councilman Lester made a motion to approve the plat, seconded by Councilman Ashworth. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None."
17. July 2, 2002: Town Council: "PUBLIC HEARING REQUEST - Town Manager Terpenny presented the following requests and recommended setting the Public Hearings for August 6, 2002. 1. Amendment to Sewer Use Ordinance. 2. Conditional Use Permit for a single-family home in the B-3 General Business District on Fairview Street. On motion by Councilman Barber, seconded by Councilman Lester, Council voted to set the Public Hearings for August 6, 2002. Council's vote is as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None.
18. July 2, 2002: Town Council: "Progress Reports ... SEWER: 8 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Sewer project Wayside Drive- 5 manholes, 59ft., 6in. sdr 35 pipe, 771ft., 8in. sdr 35 pipe."

### ***From July 16, 2002 Town Council Minutes***

1. July 16, 2002: Town Council: "PROPOSED INCREASE OF WATER AND SEWER CONNECTION FEES (SECOND READING)- On motion by Councilman Ashworth, seconded by Councilman Barber, Council voted to approve the increase from \$500.00 to \$1,000.00 each, as follows: AYES: Ashworth, Ballengee, Barber, Carter, and Weaver. NAYS: None."
2. July 16, 2002: Town Council: Progress Reports: "SEWER: 4 sewer connections, manhole maintenance, 1 sewer stoppage. ... CONST.: Sewer project-Wayside Drive, 3 manholes, 6 1 ' 6" sdr 35 pipe; 322' S" sdr 35 pipe"
3. August 6, 2002: Town Council: "1. Ordinance Amendments, *Christiansburg Town Code*, Amendments to Sewer Use Ordinance to reflect new permit limits - Town Manager Terpenny explained that these amendments are necessary because of new permit limits now enforced due to the Wastewater Treatment Plant upgrade. There was no one to speak for or against this matter."
4. August 6, 200: Town Council: "3 Ordinance Amendments, *Christiansburg Town Code* , Amendments to Sewer Use Ordinance to reflect new permit limits. On motion by Councilman Weaver. seconded by Councilman Ashworth, Council voted to adopt the ordinance amendments. Council's vote is as follows: AYES: Ashworth, Ballengee. Barber. Carter. and Weaver. NAYS: None.
5. August 6, 2002: Town Council: Action after Closed Session: "COUNCIL ACTION ON THE MATTER - Town Council authorized the Town Manager to enter into contract with Flint Associates for property on Simpson Road for a contract price of \$103,000.00, plus up to eight (8) water and sewer connections. On motion by Councilwoman Carter. seconded by

Councilman Ashworth, Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, and Weaver. NAYS: None."

6. September 3, 2002 Town Council: "APPOINTMENT OF COMMITTEES OF COUNCIL WITH FIRST NAME BEING CHAIRMAN: Water, Sewer and Solid Waste - Ballengee and Barber"
7. September 3, 2002 Town Council: "The development will utilize Townwater and sewer, and will be developed in three phases consisting of only fifty-nine lots. Lot sizes range from one-half acre to two acres. Tree removal in order to provide utility services is acceptable. (A copy of the proffers is attached herewith).
8. REGARDING THE NEW MIDDLE SCHOOL, Town Manager Terpenny reported that the County is not agreeing to the boundary line adjustments to the Harkrader property. He asked if the Town wanted to be responsible for maintaining the bus loop and roads to the school, since it will be in the County. The Town does maintain the bus loops at the schools located within Town limits. The consensus of Council was that if the property is located within the County it should be maintained by the County. The Town will provide water and sewer utilities to the facility. Mr. Harkrader will develop his property in the County, not the Town."
9. December 17, 2002 Town Council Minutes: "3. Request by Hash Investments, L.L.C. to vacate the southern portion of Jarrett Drive (approximately 50 feet in width by approximately 105 feet in length). The Town shall retain 20-foot public utility easements centered on the existing water and sewer lines for the entirety of the portion of Jarrett Drive proposed for vacation. Thom Rutledge, General Manager for Hash Investments, was present to answer any questions concerning tonight's street vacation requests. There was no one to speak for or against this request."
10. December 17, 2002 Town Council: "4. Request by Hash Investments, L.L.C. to vacate the southern portion of Motor Lane (approximately 50 feet in width by approximately 175 feet in length). The Town shall retain 20-foot public utility easements centered on the existing water and sewer lines for the entirety of the portion of Motor Lane proposed for vacation. There was no one to speak for or against this request."
11. December 17, 2002 Town Council: "3. Request by Hash Investments, L.L.C. to vacate the southern portion of Jarrett Drive (approximately 50 feet in width by approximately 105 feet in length). The Town shall retain 20-foot public utility easements centered on the existing water and sewer lines for the entirety of the portion of Jarrett Drive proposed for vacation. Manager Terpenny explained that Town staff has reviewed this street vacation request as well as the following street vacation request. The Town will be maintaining the public utilities on these streets, and the streets only service Hash Investment, therefore, the Town Manager recommended approving both requests. On motion by Councilman Ashworth, seconded by Councilman Barber, Council voted to approve the street vacation as requested."
12. December 17, 2002 Town Council: "4. Request by Hash Investments, L.L.C. to vacate the southern portion of Motor Lane (approximately 50 feet in width by approximately 175 feet in length). The Town shall retain 20-foot public utility easements centered on the existing, water and sewer lines for the entirety of the portion of Motor Lane proposed for vacation. On motion by Councilman Barber, seconded by Councilman Ashworth, Council voted to approve the street vacation as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None."

### ***From 2003 Planning Commission Minutes***

1. February 24, 2003 Planning Commission: "Mr. Rainey stated the development would be a combination housing types including apartments, townhomes, duplexes, and single-family

houses. Mr. Rainey stated the developers want to preserve the natural setting by keeping the sloping areas wooded. Mr. Rainey stated the original plans for the property had changed due to the Huckleberry Trail being shifted 20 feet into the property. Mr. Rainey stated the townhomes would be for rent and for sale. Mr. Rainey detailed the utility access including the water and sewer lines."

2. August 4, 2003 Planning Commission: "Chairperson Canada introduced the request. Mr. Wingfield detailed the location and stated the unit is currently used for storage. Commissioner Stipes stated the adjoining property is zoned R-3. Chairperson Canada stated the zoning for the property will remain the same. Mr. Duncan stated the building is being vandalized and would be better used as an apartment. Chairperson Canada asked if the existing structure would be reused. Mr. Duncan stated he would be redeveloping the building into a residence. Mr. Duncan stated water and sewer are available for the structure."

### ***From 2003 Town Council Minutes***

1. May 20, 2003 Town Council: "COUNCIL ACTION ON THE **PROPOSED** EFFECTIVE TAX RATE INCREASE. Manager Terpenney agreed that there have been rates, fees, and fine increases in the past. He explained that the sewer rate was increased approximately six years ago, and the water rate increase last year was imposed in order to help the water service become self-sufficient. The water rate increase is only half of what is needed to obtain that goal. The Water Authority continues to increase its rates to the Town. Very little additional revenue has been generated from these increases. The Town has seen a decrease in revenue from the State, as well as local building construction permits, and water and sewer connections in the past year. The increase is needed to continue providing services to the Town that residents have become accustomed to. Councilman Ballengee pointed out that several members of Council are also on fixed income and do not want to see an increase in taxes; however, they do not want to see Town services cut either. Maintenance to Town facilities must be provided; rescue and lifesaving, and fire department services must be provided, which is paid for by the Town. Mayor Linkous pointed out that the Water Authority continues to increase its rates for the Town, however, during times of drought and water restriction Christiansburg is not affected as severely as the surrounding localities. Councilman Barber reiterated that millions of dollars in funding is provided for rescue, fire, and police protection for the Town. Taxes are what fund these services. Taxes paid to the County are of little benefit to Town residents unless they have children in the school system. The increase is small considering the benefits received by Town residents from taxes paid. Councilman Weaver stated that the Finance Committee reviewed the budget, and even with many budget cuts, the increase is necessary to continue providing Town services. Councilman Barber made a motion to approve the proposed effective tax rate, seconded by Councilman Ashworth. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None."
2. August 19, 2003 Town Council: "MANAGER TERPENNEY said that Montgomery County residents have sent a request to the PSA for a 213 mile water extension outside Town limits due to ground water contamination. The residents of the street do not qualify for grants and the PSA suggested the Town install an eight inch pipe purchased by the residents of the street. The extension would create a few potential customers, both residential and business. Mayor Linkous turned the request over to the Water and Sewer Committee for its review and recommendation."
3. September 3, 2003 Town Council: "Committees of Council Water, Sewer, and Solid Waste Committee: Ballengee and Barber"

### ***From 2004 Planning Commission Minutes:***

1. January 12, 2004: Planning Commission: "Chairperson Canada stated that the second comment recommended deleting the Growth Area designation in the vicinity of the Childress Farm on Silver Lake Road. Mr. Elgin stated that this was correct and added that this area has been in Montgomery County's Agricultural and Forestal District for over twenty years and that the County foresees no change. Mr. Terpenney stated that in the near future there probably will not be a change, but that it is rolling land that would be suitable for residential development. Mr. Terpenney added that there is a sewer main trunk line near the property. Commissioner Stipes stated that this is extra territorial planning. Mr. Elgin stated that adding "Potential Future Growth Area" to the map would alleviate the concern and the Planning Commission agreed."
2. January 12, 2004 Planning Commission: "Mrs. Hess stated that cash proffers could be accepted to pay for water and sewer upgrades as well as school facilities and that should be thought about in the future. Mrs. Hess stated that sidewalks should become more of a priority with development and stated that sidewalks should have been required as a condition of the recent First Street Conditional Use Permit request (approved January 6, 2004 for property at 16 First Street); several Planning Commission members stated that sidewalks are already existing at this location."
3. December 27, 2004 Planning Commission: "Commissioner Stipes inquired if greenspace or landscaping would be required and Mr. Terpenney stated that the Town does not normally require them for single-family residential use and Mr. Helms added that the R-3 setbacks provide greenspace. Mr. Helms stated that one of the lots may be sold for parking and Mr. Gillis stated that he had discussed this with Mr. Miller who owned the adjoining transmission shop. Mr. Gillis stated that gravity sewer would work through the center of the property (off of Shaffer Street). Mr. Terpenney stated that there has been some sprucing up in this area, noting the Community Housing Partners renovation of the Dew Drop Inn. Mr. Gillis stated that he had cut the trees on the property because they were in bad shape, but that he would landscape the property. Commissioner Stipes stated that he thought residential use was a good idea. Chairperson Wade stated that he would not be able to attend the Public Hearing on January 4, 2005."

### ***From 2004 Town Council Minutes:***

1. February 3, 2004 Town Council: "MANAGER TERPENNEY reported that the Town has received a request from Showcase Home Builders for a "friendly boundary line adjustment for property that falls outside the Christiansburg corporate boundary line. Showcase Home Builders purchased thirty-eight (38) acres of land behind Kmart and a portion of the property is outside the corporate boundary. Manager Terpenney asked if he should meet with the County Administrator to discuss this request. Town water and sewer will serve this property; however, the rates will be fifty percent less if the property is entirely within the Christiansburg limits. Without the adjustment the property located outside corporate limits will be served by fire and rescue departments, but not by the police department. No funds would be taken away from the County by allowing this boundary line adjustment. The consensus of Council was for Manager Terpenney to meet with the County Administrator to discuss this request."
2. March 16, 2004 Town Council: "COUNCILMAN BALLENGEE said he has received questions from the public regarding the condition of the streets in the downtown area. The streets are in need of repaving due to the replacement of the underground water lines, which is part of the downtown revitalization process. Mayor Linkous said that Assistant Town Manager Helms in

currently looking into erecting a sign to inform the public of the downtown revitalization progress. All underground work and sidewalk replacement must be done before paving the roads. Sewer line replacement, improved parking and pedestrian walkways, and new traffic signals and streetlights are included in the revitalization plan. The Town hopes downtown business owners ' will be encouraged to renovate their downtown buildings. The entire revitalization process will be done in six (6) phases over the span of several years. The Town is currently in Phase I, which will be completed this calendar year. Mayor Linkous stated that the Town receives grant funds for the project."

3. May 4, 2004 Town Council: "2. Lot line relocation and easement dedication; Surface Wade Farm, lots 50-87, Elk Drive - The unbuilt road is located off: Silver Lake Road. Plans are to dedicate a sewer easement and widen the road. All is in order with the plat, and Councilman Lester made a motion to approve the request, seconded by Councilwoman Carter. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None."
4. June 1, 2004 Town Council: "2. Lion's Gate Planned Community, adding additional public utility easements, Lion's Drive. This property is located behind the N. Franklin Street Food Lion Shopping Center. The plat is to dedicate utility and sewer easements, and Councilman Lester reported that all is in order and made a motion to approve the plat as presented. The motion was seconded by Councilman Ashworth, and voted upon by Council as follows: AYES: Ashworth, Ballengee, Barber, Carter, Lester, and Weaver. NAYS: None."
5. September 7, 2004 Town Council: "Committees of Council Water, Sewer, and Solid Waste Committee: Ballengee and Barber"
6. September 21, 2004 Town Council: "1. A rezoning request with proffer by the Dale and Freda Tee1 Family Limited Partnership for property adjoining the southern side of Interstate 81 and the western side of the Falling Branch Corporate Park (an approximately 10 acre portion of the approximately 32 acre tax parcel 529 - ((A)) - 24 and the approximately 108 acre tax parcel 558 - ((A)) - 1) from A Agricultural to 1-2 General Industrial. The property is scheduled as Mixed Use: Residential/Limited Business/Limited Industrial in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. Brian Hamilton representing the Montgomery County Industrial Development Authority spoke on behalf of the Teel family. He gave each Councilmember a map indicating the intended land use. The property to be developed is not located near residential developments and the intended use is consistent with the surrounding land use. Councilman Barber asked about access to the property. Mr. Hamilton said the only access to the property is through Corporate Drive in the industrial park. Councilman Huppert asked if the Teel's are currently working with someone on the development of the property. Mr. Hamilton said that at this time they do not have a buyer. He said the Teel's must have proper zoning, and water and sewer access, in order to sell the land. A regional storm water pond currently exists adjacent to the property, which was originally developed with plans for Uic ultimate build out of the park. Councilman Huppert also asked if there were any concerns regarding additional traffic through the school zone. Mr. Hamilton said the speed limit is 25 m.p.h. through the school zone and will remain so. Councilman Ballengee said it is a concern anytime there is an industrial park located near a school. Mr. Ballengee questioned the existence of a natural gas line on the property. He said there are flags indicating a line on the property, however, it is not indicated on the map Mr. Hamilton provided. Mr. Hamilton does not believe there is a natural gas line on the property and Mr. Teel said he is not aware of a gas line on the property."
7. October 19, 2004 Town Council: "MR. MIKE MATUSOVICH OF 90 NURSERY LANE ADDRESSED COUNCIL. Mr. Matusovich lives off of Roanoke Street in an area where the

Town has recently completed installing sewer lines. He is in the process of selling his property and the potential buyer wants to have the septic tank pumped to ensure there are no problems with the septic system. The realtor explained that the septic tank can't be pumped because the Town has received a certificate of completion from Virginia on the newly installed Town sewer lines. The certificate was received after the purchase contract was signed on Mr. Matusovich's property. Manager Terpenney explained that the Town Code requires a homeowner to connect to Town sewer where it is available and prohibits pumping a septic tank. Mr. Matusovich is requesting permission to pump. Councilman Lester asked about the cost of sewer line hook-up. Manager Terpenney said it cost \$1,000.00, plus \$5.00/linear foot of road frontage. Mayor Linkous said Council will discuss this request later in the meeting."

8. October 19, 2004 Town Council: "3. Mr. Mike Matusovich's request to pump his septic tank. Mayor Linkous clarified that at the time a sales contract was signed on the house, Town sewer was not available to the twenty-five year old house. The tank has been pumped once before and it is not unusual for a potential buyer to request the tank be pumped. The septic tank pumping is a stipulation in the sales contract. Mayor Linkous asked Mr. Matusovich if the potential buyers understand that the tank will only be pumped once and if there is a need for pumping in the future the owners will have to hook onto the available sewer line. Mr. Matusovich said they are aware of this. Councilman Barber made a motion to allow the septic tank to be pumped, seconded by Councilman Ashworth. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, Huppert, and Lester. NAYS: None."
9. October 19, 2004 Town Council: "MANAGER TERPENNEY reported that the Town has received a request from Pentecostal Holiness Church. The basement of the church flooded during a severe storm and the Church believes the Town is responsible for the sewer back up that resulted from the flooding."
10. October 19, 2004 Town Council: "Cambria/Crab Creek Sewer Replacement – Sewer Main complete."

### ***From 2005 Planning Commission Minutes***

1. January 18, 2005 Planning Commission: "Chairperson Wade introduced the request and stated that he would not participate other than answering any questions as there would be a conflict of interest. Mr. Terpenney read the drafted condition: "The Conditional Use Permit is limited to no more than fifty (50) employees on any working shift." Mr. Terpenney stated that the Code change allows up to 50 employees in production and that the condition clarifies that there may be up to 50 on any shift. Commissioner Simmons inquired if a condition should be placed that the property be maintained in a sightly manner and Mr. Terpenney stated that that condition is normally placed on commercial garages. Mr. Terpenney stated that solid waste and sewer discharge should not be a problem."
2. June 6, 2005: Planning Commission: "Mr. Terpenney stated there is a sewer odor issue in Windmill Hills and the Town is working on it. Mr. Terpenney stated the Town has tried chemical injection and speeding up the pumps. Mr. Terpenney stated that Olver, Inc. is in the process of designing a method to inject hydrogen peroxide and that the Town has saved this process until last due to its expense. Commissioner Canada stated that the complaints of the odor are valid and Mr. Terpenney agreed and added that the proposed process may be used in La Plateau if it is successful. Mr. Rutledge stated that the sewer line utilized by the proposed development will not affect the odor problem."
3. June 7, 2005 Planning Commission: "Mr. Terpenney stated the Town has allocated money in the

budget that will be expended and that he believed it would resolve the sewer odor issue. Mrs. Cloe stated that she does not think the problem would be resolved and stated there is not a problem during the day but at peak times it is worse. Mr. Terpenny stated capacity is not a problem. Mrs. Cloe asked what the capacity would handle and Mr. Terpenny responded the system was designed for ultimate build out of the area and there have never been any back-up problems. Mrs. Cloe stated that she believes the system leaks and Mr. Terpenny stated the Town checks for leaks."

4. June 7, 2005 Planning Commission: "Mr. Cloe stated traffic is still a factor and Mrs. Cloe inquired about emergency evacuation plans. Mr. Terpenny stated the Emergency Operations Plan was updated last year and that the same situation exists all across the country. Mrs. Cloe stated that with these potential units and Mr. Woody's continued development, the sewer odor situation could get worse and Mr. Terpenny stated that the sewer line was designed for maximum buildout. Mrs. Cloe stated with an emergency now, someone could die and Mr. Terpenny stated that could happen anywhere in the state."
5. July 1, 2005 Planning Commission: "Mr. Rutledge stated AEP has a power load problem in this area. Mr. Terpenny stated there are plans to dedicate a 20 public utility easement that AEP will utilize to address problems and that the Town can use for water and sewer."
6. July 12, 2005 Planning Commission: "Mr. Neel stated that the 80-foot wide area is very long and that it is an area that is fairly level and capable of having sewer. Mr. Neel stated that Blacksburg requires fifty percent greenspace dedication, but said that he would question whether it is very usable land. Mr. Rutledge stated that this development would meet the minimum greenspace requirement in Blacksburg and added that it exceeds Christiansburg's ten percent dedication requirement. Mr. Neel stated that he believed it was beneficial to have the townhouses close to the open space and Mr. Rutledge stated that this provides the highest density the easiest access to the open space. Vice-Chairperson Stipes inquired as to how residents in the single-family areas would use the open space and Mr. Rutledge stated that there would be sidewalks and that they could walk or bike to it. Mr. Rutledge stated that approximately 140 single-family units, 180 duplex units, or 300 multi-family units could be built on the property. Mr. Terpenny stated that the property has not received approval to build multi-family units."
7. July 12, 2005 Planning Commission: "Commissioner Canada stated that he would like to discuss the sewer odor issue and Mr. Terpenny stated that Olver, Incorporated is working on plans to address this issue and added that there is money in the Town's budget for the project. Vice-Chairperson Stipes stated that after seeing the proposed development, he is more convinced that allowing the shifting of the Connector Route was the correct decision. Vice-Chairperson Stipes stated that developing the property would be difficult if it were split."
8. July 12, 2005 Planning Commission: "Commissioner Poff stated that the 18 foot front setback had been changed to 10 feet to accommodate covered porches and steps. Vice-Chairperson Stipes stated that the density does not negatively affect the setbacks and Mr. Terpenny stated that this is correct. Vice-Chairperson Stipes stated that the overall density could not be over the maximum allowed density of ten units per acre and Mr. Terpenny stated that this is correct. Commissioner Poff inquired as to when stormwater management plans are submitted and Mr. Terpenny stated that they are required prior to subdivision approval and that drawings for the streets, drainage, and water and sewer are usually submitted together. Commissioner Poff inquired as how calculations are done if the type of construction is not known and Mr. Terpenny stated that the worst case scenario is used, assuming all duplexes in single-family and duplex areas and assuming multifamily uses in the areas that allow them. Commissioner Canada inquired if the Town's approval of the use was therefore an approval of the stormwater and Mr. Terpenny responded that the stormwater is a consequence of the use. Mr. Terpenny stated that

the Planning Commission and Town Council are responsible for approval of the concept plan, but that the Town staff reviews the stormwater."

9. October 31, 2005 Planning Commission: "Mr. Price stated that the property under consideration has public street frontage and water and sewer available. Mr. Price stated that he desired to put the property to beneficial use. Mr. Price stated that one of the comments that he had received was that there is speeding on Merrimac Road and that it is not policed very well and added that he promised he would pass this comment along and was simply doing so."

### ***From 2005 Town Council Minutes***

1. March 1, 2005 Town Council: "COUNCIL ACTION ON THE MATTER - Under Section 2.1-344(7), Code of Virginia, for the discussion of legal matters involving the Town. Councilman Barber made a motion to authorize Town Manager Terpenny and Town Attorney Guynn to amend the sewer service agreement to include the Warm Hearth area. Councilwoman Carter seconded the motion. Council voted as follows: AYES: Ashworth, Ballengee, Barber, Carter, Huppert, and Lester. NAYS: None.
2. June 7, 2005 Town Council: "A conditional rezoning request ... Jeannie Cloe, a resident of Henley Drive, asked Council to deny the request due to two existing problems. She explained that the residents of Henley Drive have experienced sewer odor for years. She asked that this problem be fixed before more homes are added to the neighborhood. The Town has tried several methods to correct the odor problem to no avail. Manager Terpenny explained that the sewage system doesn't use the force main until the wet well fills up. Because of low usage the sewage is in the wet well long enough to create and odor. The Town plans to inject the system with hydrogen peroxide which it hopes will eliminate the odor problem. ... Mr. Cloe is also concerned with the frequent sewer odor and is grateful that the Town is trying to eliminate the problem. ..."
3. September 6, 2005 Town Council: "**Committees of Council Water, Sewer, and Solid Waste Committee: Barber and Wade**
4. **October 18, 2005 Town Council: "MRS. JEANNIE CLOE TO ADDRESS COUNCIL REGARDING SEWER ODOR ON HENLEY DRIVE. Mrs. Cloe** asked Council for an update on the progress of eliminating the sewer odor along her street, which she discussed with Council at the June 7, 2005 meeting. Town Manager Terpenny reported that eighty thousand dollars has been budgeted this year for this project. There is currently a contractor on site beginning the process of installing a one thousand gallon tank and containment system. The chemical tank has been ordered and it is expected to be ready for start up within three months. Chemicals can not be injected into the system until the tank and containment system is installed. the Town **has** had an expert study the issue and this approach was recommended. Dan Canada commented that at his son lives on Henley Drive and also experiences the sewer odor. He commended the Town Council and the Town Manager on their attempts to rectify the matter."

### ***From 2006 Planning Commission Minutes***

1. March 20, 2006 Planning Commission: "Commissioner Canada stated that water and sewer designs would have to meet Town standards and Mr. Terpenny stated that this was correct. Commissioner Canada inquired if water and sewer designs were acceptable and Mr. Terpenny responded that he had not seen them and added that these typically cost thousands of dollars and that could be money spent for nothing if the required approvals are not granted. Commissioner Booth stated that the developer had mentioned a \$250,000 to \$280,000 price range and stated

that he believed public sidewalks and underground utilities should be required."

2. June 5, 2006 Planning Commission: "Mr. Semones stated that the area in the County with 36 lots would be rear loaded townhouses with garages in the back. Mr. Semones stated that the plan is in compliance with both the Town and County Comprehensive Plans, so that both localities should be comfortable with the overall idea for the project. Mr. Semones stated that the developer was in the process of getting sewer easements through the Country Kitchen property. Chairperson Simmons inquired if all of the gray area on the drawings would be common area and Mr. Semones stated that it would be.
3. June 5, 2006 Planning Commission: "Mr. Semones stated that only the portion north of the ridge crest, in the area of the water tank, is being requested for rezoning with the County. Mr. Semones stated that development of the land south of the ridge crest would create a need for the Country Club Interceptor Sewer Line, which he has been told would cost between one and two million dollars. Mr. Semones stated that the road that would connect Harkrader Street to Moose Drive would be costly to build, but that the traffic studies indicated that it would be good if it were built."

### ***From 2006 Town Council Minutes***

1. January 17, 2006 Town Council: "2. Relocation of 15' Sanitary Sewer Easement, Lot 24 & 25, Pierce & Harless Extension to Cambria, 2 Lots, Montgomery Street, N.E. Councilman Ashworth reported that this easement relocation is necessary) because an existing building is situated in the easement. All is in order with the plat and Councilman Ashworth made a motion to approve the plat, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Ashworth, Ballengee, Barber, Carter, Huppert, and Wade. NAYS: None."
2. February 7, 2006 Town Council: "3. Thomas Circle Right-of-way Dedication & 15' Sewer Easement Dedication to the Town of Christiansburg. Several months ago, Mr. Jabe Thomas requested the Town take over Thomas Circle. Upon the Street Committee's recommendation, the Town adopted Thomas Circle. Councilman Barber explained that this request would create a fifteen-foot sewer easement through the street. All is in order with the plat and Councilman Barber made a motion to approve the plat, seconded by Councilman Ballengee. Council voted on the motion as follows: AYES: Ballengee, Barber, Carter, Huppert, and Wade. NAYS: None."
3. February 7, 2006 Town Council: "The seconded policy amendment request is from the Treasurer's office. Due to a recent incident, the Treasurer's office is requesting a policy that would allow a one-time waiver of late fees for utility bills. Mayor Linkous turned the request over to the Water and Sewer Committee for review and recommendation."
4. February 21, 2006 Town Council: "COUNCILWOMAN CARTER said she had a nice conversation with a citizen who complimented the Town's Water and Sewer Department crew. This citizen's sewer line backed up on a snowy weekend and the Town crews immediately came out and fixed the problem for her. She wanted to express her appreciation for those who helped her."
5. May 16, 2006 Town Council: "1. Budget for Fiscal Year 2006 - 2007 - First Reading. Councilwoman Carter reported that the Finance Committee met with Town administration on numerous occasions to generate the proposed 2006 - 2007 fiscal year budget. She reviewed the proposed changes and additions and noted that personal property tax rates and real estate tax rates will remain unchanged. A copy of the proposed budget summary sheet is attached and made a part of these minutes. The proposed budget is available for review in the Town

Manager's office. Ms. Patty Quesenberry thanked Council for including the Homeless Shelter Program in its budget for the coming year. Mr. Donald Agee thanked Council for including the Elk Drive sewer expansion in its 2006 - 2007 budget."

6. May 16, 2006 Town Council: "2. Proposed Fee Increases for Fiscal Year 2006 - 2007. Councilwoman Carter reported the proposed fee increases in the budget as follows: Water rates, second tier from \$3.25 to \$3.35, no increase to minimum usage rate; sewer rates, which have not been increased since 1996, would increase from \$4.00 to \$4.20, minimum usage rate remains the same; rezoning fee from \$200.00 to \$300.00; Conditional Use Permit fee from \$200.00 to \$300.00; return check fee from \$10.00 to \$25.00; water deposits from \$25.00 to \$50.00; and DMV fee from \$20.00 to \$30.00. Town Manager Terpenny explained that the DMV fee is imposed when a driver is found to have an outstanding debt to the Town. Councilwoman Carter also reported that VRS increased from \$14.25 to \$15.91, and the health insurance premium increased from \$378.00 to \$491.00. Mr. Jim Chamberlain of Lester Street suggested the Town consider including a web master program in its budget for next year, which is useful in creating and maintaining a website. Mayor Linkous turned Mr. Chamberlain's suggestion over to the Finance Committee for review."
7. May 16, 2006 Town Council: "Town Manager Terpenny provided an update on the downtown revitalization project. He reported that the sewer contractor is currently waiting for delivery of his materials and expects to receive those later this week. Paving will soon begin on the East end of Main Street and will be completed to the intersection of East Main and Franklin Street. Other revitalization improvements will be re-bid when VDOT approval of plan changes is obtained."
8. June 6, 2006 Town Council: "COUNCIL ACTION ON THE FEE INCREASES FOR FISCAL YEAR 2006 - 2007 BUDGET. Councilman Barber made a motion to adopt the fee increases for the Fiscal Year 2006 - 2007 Budget, seconded by Councilman Huppert. Councilman Wade questioned the water and sewer rate increases at the May 16, 2006 meeting, but now understands that the increases are a pass-through from the Water Authority, not increases imposed by the Town. Council voted on the motion as follows: AYES: Ballengee, Barber, Carter, Huppert, and Wade. NAYS: None."
9. July 18, 2006 Town Council: "DOWNTOWN REVITALIZATION PROJECT UPDATE - Town Manager Terpenny reported that the paving bids for Main Street, and the streets included in the annual paving program, would go out later this week. The sewer work along Main Street has been completed, and once the Town receives approval from VDOT, paving and sidewalk work towards the west end of Main Street will be put out to bid."
10. September 19, 2006: Town Council: "MR. JOHN THOMAS, whose property is located along Roanoke Street, said he is currently struggling with a failed sewer system and is hoping the Town can help with this problem since the properties surrounding his are served by the Town sewer system. At Mayor Ballengee's request, Manager Terpenny agreed to look into this matter."

### ***From 2007 Planning Commission Minutes***

1. December 3, 2007 Planning Commission: "Chairperson Simmons introduced the request. Mr. Wingfield detailed the location and surrounding zoning and land uses and stated that the property is on both sides of Stafford Drive with the western portion being currently zoned R-1A Rural Residential and containing approximately 6.5 acres and the remainder on the eastern portion being A Agricultural. Mr. Wingfield stated the small Agricultural zoned square within the eastern portion of the property is the Town's sewer pump station. Chairperson Simmons

inquired if the Town had received any comments and Mr. Terpenney and Mr. Wingfield responded that they had not received any comments. Mr. Terpenney stated that utilities are an issue and that traffic will be brought up at the public hearing."

2. December 3, 2007 Planning Commission: "Vice-Chairperson inquired as to what the differences were between R-1 and R-1A and Mr. Terpenney stated that R-1A had a larger lot size requirement. Mr. Wingfield stated that R-1A required a minimum of 15,000 square feet per lot whereas R-1 required 10,000 square feet. Mr. Wingfield added that R-1A had provisions that would enable residents to keep horses. Chairperson Simmons inquired what the issues with utilities were and Mr. Terpenney stated several of the lots can not easily be served by public sewer but that individual pump systems could be used."
3. December 3, 2007 Planning Commission: "Vice-Chairperson Vanhoozier asked Mr. Wingfield to go over the map again. Mr. Wingfield detailed the location and surrounding zoning and land uses and stated the property is on both sides of Stafford Drive with the western portion being currently zoned R-1A Rural Residential and containing approximately 6.5 acres and the remainder on the eastern portion being A Agricultural and added that the small Agricultural zoned square within the eastern portion of the property is the Town's sewer pump station. Mr. Wingfield also stated that the connections to Quin W. Stuart Boulevard and Waiters Drive via Meadow Drive would be to the south of these properties."
4. December 3, 2007 Planning Commission: "Mrs. Hise stated that Jerry Sturgill was her father and that there was no sewer on the property when he bought the land. Mrs. Hise stated that her father built Stafford Drive from approximately one mile off Route 114 to the cul-de-sac, which cost him around \$150,000 for relatively few lots. Mrs. Hise stated that he father left the property to her and her siblings and that they have decided to try and sale the land. Mrs. Hise stated that she believed the proposed development would increase the value of homes in the area and that the developer had done nice work previously. Mrs. Hise stated that she had spoken to Mr. Terpenney several times through the years and he had always told her if she would bring in a design, the Town would look at it for the sewer system."
5. December 18, 2007 Planning Commission: "Commissioner Carter stated she had sewer mentioned to her and Mr. Terpenney stated that the developer would have to extend public sewer to serve all of the lots. Commissioner Moore inquired if the designer had looked at existing traffic counts and the percent change and Mr. Semones stated that the VDOT standard for residential use is 10 trips per day per unit and that this would be a relatively small change. Mr. Terpenney stated that the property would have three connections to Route 114, one of which would be within the first phase of the proposed VDOT Route 114 widening project. Commissioner Carter inquired if a VDOT traffic impact analysis would be required and Mr. Terpenney stated it would not as the property is not within 3,000 feet of a state maintained roadway."
6. December 18, 2007 Planning Commission: "Commissioner Poff stated that rezoning the R-1A Rural Residential portion of the property would be rezoning it to a higher density classification. Mr. Travis stated that he believed the property was zoned R-1A due to sewer issues and stated that you cannot build to maximum density with a normal gravity flow system. Mr. Semones stated that they had planned 10,000 square foot lot sizes on top of the hill in order to utilize gravity flow, but that the density would not be any greater on the R-1A portion. Mr. Travis stated that there could be 16 units on the western side of Stafford Drive now and Mr. Semones stated that this was correct, but that without the R-1 Single-Family Residential zoning, some of the lots would have to pump back .that would otherwise not need pump systems. Commissioner Moore inquired if the Town would take over the sewer lines and Mr. Terpenney stated that the Town would."

## ***From 2007 Town Council Minutes***

1. March 20, 2007 Town Council: "TOWN MANAGER TERPENNY reported that the Town has received a request to extend the public sewer along Orchard Street. Mayor Ballengee turned the request over to the Water and Sewer Committee for review and recommendation."
2. May 1, 2007 Town Council: "3. Plat of survey dedicating a new 20' sanitary sewer easement adjoining "Robin Hood Estates"; contains 1 lot; Sherwood Drive, N.E. Councilman Barber explained that grading work has already been done on this property located behind the old Hills department store. All is in order with the plat and Councilman Barber made a motion to approve, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None."
3. May 1, 2007 Town Council: Public Hearing Request: "May 15, 2007 1. Fiscal Year 2007-2008 Budget, First Reading. 2. Set rates for Water and Sewer Service."
4. May 15, 2007 Town Council: "Fiscal Year 2007 - 2008 Proposed Fee Increases. Town Manager Terpenney explained the proposed, slight increase to the water rates, which will affect those who use more than the minimum usage, and decrease in the minimum sewer rates, which will only affect those on a fixed income. The Town will not experience increased revenue as a result of the increased rates, it is only a pass-through on the Blacksburg-Christiansburg-VPI Water Authority's rate increase to the Town. Mayor Ballengee said this matter was discussed at length by the Budget Committee and it was determined that most residents will not notice a change in their water bill as a result of the increase. Councilwoman Carter pointed out that the General Fund has supplemented this expenditure for many years and, without slight increases from time to time, a large rate increase would eventually be necessary. She also commented that Christiansburg is frequently listed, in Virginia, as one of the municipalities with the lowest water rates."
5. June 5, 2007 Town Council: "MR. GUS CAMODUS addressed Council regarding his family-owned store at 49 West Main Street. During the downtown renovation project it was discovered that a storm sewer system runs under his building. Mr. Camodus claims that the aquaduct is faulty and he is concerned that he may be held responsible for repairs under his store. He said that the storm system problems have basically condemned his property and made the store undesirable to renters. Mr. Camodus asked Town Council to officially condemn the property and purchase it at fair market value. If he feels he is left with no other option, he plans to file an injunction to stop the renovation process. Mr. Camodus said he has been in touch with Assistant Town Manager Helms regarding this problem since the beginning of the downtown renovation project. Mayor Ballengee said the Town has been aware for many years that a twenty-foot wide creek runs under the building, and Mr. Camodus should not be expected to maintain a storm sewer system for Christiansburg. Mayor Ballengee said he will review the matter with Town engineers."
6. June 19, 2007 Town Council: "TOWN MANAGER TERPENNY reported that lie, Town engineers, and consultant engineers have studied the issue brought before Council by Mr. Gus Calmodus at the June 5th meeting regarding a storm sewer system that runs under his Main Street building. Mr. Camodus had asked Council to consider condemning his property and purchasing it at fair market value. After reviewing, tile engineers recommended the Town leave the drainage system as it is and continue with the original renovation plans. Mr. Calmodus said he counted more than thirty drop inlets that run under his store and the pilings are beginning to wash out. Councilman Wade asked if he has had engineers review the matter. Mr. Camodus said Balzer and Associates suggested that he concrete the pilings, but he is no1 sure of the cost. Mr.

Calmodus said he wants the Town to either pay for the damages or buy the building. Councilman Stipes has been involved with this issue and he said he would have liked to have seen some effort from Mr. Calmodus to coordinate improvements to his property while the Town's streetscape project is underway. Instead, Mr. Calmodus has made demands of the Town. Councilman Stipes said he supports the recommendation of the engineers to leave the drainage system as it is."

7. September 4, 2007 Town Council: "Committees of Council Water, Sewer, and Solid Waste Committee: Barber and Wade"
8. December 18, 2007 Town Council: "A rezoning request by Barbara Hise for property on Stafford Drive (tax parcels 404 - ((1)) - 3 and 405 - ((A)) - 13 and 14) from A Agricultural and R-1A Rural Residential to R-1 Single-Family Residential. The property contains 27.55 acres and is scheduled as Residential and Conservation - Limited Development in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. John Travis of J & D Builders addressed Council on his and the property owner's behalf. Mr. Travis said he has developed two subdivisions in Pulaski, one with eight homes and one with twenty-one homes, and both developments increased property values of the surrounding homes. His homes are quality, custom built homes ranging from \$170,000 to \$400,000, on 10,000 square foot lots. His plan for the Stafford Drive property is thirty-nine homes to be built over a three to four year period. Walking trails are planned, along with a Homeowner's Association to maintain the neighborhood. Mr. Travis showed Council a rendering of the planned houses. Mr. Travis said this development, once completed, will have a tax base of over twelve million dollars. Ms. Barbara Hise, owner of the property, said the land has been in her family since the 1960's. Her late father extended Stafford Drive fifteen years ago at his own expense, and donated land to the Town for a needed sewer station. The subdivision, according to Ms. Hise, will be a small, upscale neighborhood that will provide the additional sewer system needed in this area. Ms. Hise said she cares about this area and she does not believe that the traffic from this small neighborhood will have much of an impact on the WIG along Route 114...."

*From 2008 Planning Commission Minutes*

1. January 14, 2008 Planning Commission: "Commissioner Moore inquired about the water and sewer service. Mr. Terpenney stated the services available could accommodate a professional office. Chairperson Simmons inquired to what uses would be allowed. Mr. Terpenney stated residential friendly uses, not big boxes. Chairperson Simmons xx. Mr. Terpenney stated B-2 district has zero setbacks and parking is not as severe. Commissioner Poff stated he could see someone putting these two properties together.

*From 2008 Town Council Minutes*

1. January 15, 2008 Town Council: "5. Plat of Drainage & Public Utility Easement Relocation and Dedication at the New River Center; Shoppers Way and N. Franklin Street. This request will provide easements for sewer lines, water lines, and stormwater management, on the New River Center property."
2. February 5, 2008 Town Council: "DISCUSSION REGARDING WATER AND SEWER LATE FEES. Council has previously discussed this matter, and Councilman Wade proposed changes to the *Town Code* that would allow Council to waive utility late fees at its discretion. Provisions suggested by Councilman Wade are that the customer must protest the bill; customer must have twelve consecutive months of no missed payments; and it would be a one-time only waiver for

a particular time frame. After further discussion by Council, Mayor Ballengee directed Attorney Memmer to draft a policy, specific to Council's suggestions, for review by Council."

3. March 4, 2008 Town Council: AMENDMENT TO *CHRISTIANSBUHG TOWN CODE*, CHAPTER 29, "WATER AND SEWER". Town Manager Terpenny reported that Town Attorney Guynn, at Council's reaction, has drafted an ordinance that will allow Council the opportunity to waive penalty fees for late utility payments for customers in good-standing with the Town. The amendment allows a one-time waiver for customers who have gone twenty-four consecutive months with no delinquent payments, and would only be granted upon written request. Councilman Wade made a motion to adopt the amendment, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None."
4. March 18, 2008 Town Council: "MR. DONALD AGEE TO ADDRESS COUNCIL REGARDING SEWER ON ELK DRIVE. Mr. Donald Agee, along with his wife, Naomi, submitted to Council a request that the Town run a sewer line from the Radford Street connection to 1355 and 1365 Radford Street on up to lots 50, 51, and 52 on Elk Drive. The couple's daughter, Caroline Brizendine, and her family plan to build a house on the lots on Elk Drive. Elk Drive has been surveyed and marked for sewer extension. This area was incorporated into the Town in 1988. Mr. Agee thanked Council for the opportunity to speak. Town Manager Terpenny said that the plans for extending the sewer lines to the Elk Drive area are complete. He also stated that the project has been in the budget, and the Town hopes to begin the project during the 2008 - 2009 fiscal year."
5. May 20, 2008 Town Council: "1. Fiscal Year 2008 – 2009 Budget – First Reading. Town Manager Terpenny gave an overview of the proposed Fiscal Year 2008 – 2009 Budget and offered to answer any questions. The proposed budget includes increases to the water and sewer fees, solid waste fees, cigarette tax, building permit fees, and business license fees. There are no new personnel in the budget, and a three percent pay increase for all full-time, permanent employees, including Town Council and the Town Clerk, is proposed. Major capital improvements proposed are: Sewer extension for Elk Drive; downtown redevelopment on East Main Street; plant mix for streets; continued construction of the aquatic center; upgrades to the wastewater treatment plant; and North Franklin Street bridge repair. Reserve funds are proposed to increase as follows: Fire truck - \$25,000; rescue truck - \$25,000; building inspection software - \$25,000; and emergency services building - \$200,000. Ms. Ann Hess, on behalf of New River Community Action, thanked Council for its past and continued support of the Homeless Intervention Program. Mr. Larry Martin, a local business owner, asked Council to reconsider the fees/tax increases proposed in the budget, specifically the BPOL tax. Mrs. Nancy McDonald, a local business owner, also expressed her opposition to the BPOL tax increase, and explained the hardship the increased tax will create on small businesses."
6. May 20, 2008 Town Council: "MS. LISA GARDNER of Phlegar Street asked that the Town provide her with a water meter for one of her outside spigots, so that she will not be charged sewer fees for the water she uses for lawn and gardening, and for canning. Ms. Gardner also mentioned a letter she wrote to the Town addressing parking issues in the downtown area near the Courthouse. She suggested that the Town place "time limit" signs to regulate downtown parking. Town Manager Terpenny commented that the Town loans out "pool" meters for temporary usage, but if she purchases a meter, the Town will honor the readings. Manager Terpenny further commented that the Town is considering her suggestion to place "time limit" parking signs in the downtown area."
7. August 5, 2008 Town Council: "SEWER SERVICE AREA AGREEMENT. Town Manager Terpenny reported that some time ago a local Baptist church was donated land off Route 114,

just outside Town limits. The church has requested Town sanitary sewer service. This can be done at no cost to the Town, however, sewer contracts with the County would need to be amended. Engineers would need to first perform a study to determine if capacity is available, before negotiating with the County. Town administration has no objections to moving forward with this request. Councilman Stipes made a motion to begin the process of providing the requested sanitary sewer service, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None."

8. August 5, 2008 Town Council: "3. Plat showing boundary line adjustment and sanitary sewer easement dedications between tax parcels 525 – ((A)) – 7 & 525 – ((A)) – 4A; contains 2 lots; located on Radford Street, N.W. Councilman Stipes reported that this request is for a slight boundary line adjustment between two consenting property owners. The plat has been reviewed by the Town's engineering staff and all is in order. Councilman Stipes made a motion to approve the request, seconded by Councilman Huppert. Council voted as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None."
9. August 5, 2008 Town Council: Public Hearing Request "1. Sewer easement vacation request, New River Valley Mall. ... On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to set the Public Hearings for September 16, 2008. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None."
10. August 5, 2008 Town Council: "COUNCILMAN WADE made a motion to authorize the Town Manager to sign VDOT documents for water and sewer easements along Pepper's Ferry Road. Councilman Barber seconded the motion and Council voted as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None."
11. September 2, 2008 Town Council: "Committees of Council Water, Sewer, and Solid Waste Committee: Barber and Wade"
12. September 16, 2008 Town Council: "1. Sewer easement vacation – New River Valley Mall. Town Manager Terpenney explained that, at the time the New River Valley Mall was expanded to include the "power center", several easements were created in anticipation of use for utilities, water, sewer, and such. Upon completion of the development several easements were not utilized, including this easement. There were no questions or comments on this matter."
13. September 16, 2008 Town Council: "3. Sewer easement vacation – New River Valley Mall. Councilman Wade made a motion to approve the sewer easement vacation request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None."
14. September 16, 2008 Town Council: "Public Hearing Requests ... 3. Disposition of public property, sewer pump station lot, Robinhood Estates."
15. October 7, 2008 Town Council: "1. Council's intention to adopt an ordinance in regards to disposition of 0.02 acres of Town property located on Sherwood Drive (tax parcel 498 – ((17)) – C). Town Manager Terpenney explained that this property was designated as the sewer pump station site for a new subdivision at the beginning of construction. Once the subdivision was complete, it was realized that a gravity sewer system would provide adequate sewer service to the neighborhood, and a pump station was not necessary. The small portion of land would be returned to the lot from which it was subdivided."
16. October 7, 2008 Town Council: "COUNCIL ACTION ON THE PUBLIC HEARINGS REQUESTS: 1. Council action on the street vacation request, Phase I, Robinhood Estates. Councilman Wade made a motion to approve all three, related public hearing requests for Robinhood Estates, seconded by Councilman Stipes. Council voted as follows: AYES: Barber, Carter, Showalter, Stipes, Vanhoozier, and Wade. NAYS: None. 2. Council action on the stormwater management easement vacation request, Robinhood Estates. See above vote. 3. Council action on the disposition of public property, sewer pump station lot, Robinhood Estates."

See above vote."

17. November 3, 2008 Town Council: "1. Citizen Comments: A. Tacy Newel-Foutz brought to Council's attention a problem with frequent sewer back ups along portions of Main Street. These back ups, she believes, are from the recent downtown renovations. She also said she previously made the Town aware of a hairline crack in the sidewalk near the front of her building, but has received no response on this matter."
18. December 16, 2008 Town Council: "1. Boundary line adjustment agreement with Montgomery County to incorporate within the Town of Christiansburg property located adjacent to Buffalo Drive and Mud Pike Road (153.375 acres) and potentially an additional approximately 15 acres. Developer Robert Fralin was available for questions, along with Steve Semones of Balzer and Associates. Brief Council discussion established that the Town has committed, through negotiations, to honor the proffers submitted to Montgomery County by the developer for this development. Councilman Wade requested a copy of all information pertaining to this subdivision, including financial impact on the town, for review, before taking action. A copy of the submitted proffers is attached herewith and made a part of these minutes. Tacy Newell-Foutz spoke of her concerns regarding the traffic system at the nearby middle school, lack of sidewalks in the area, and hazardous deep ditches along the side of the road leading to the middle school. She also discussed the water/sewer enterprise fund and said she is concerned the town will be setting itself up for improvements in the future to Moose, Buffulo, and Mudpike Drives. She believes the revenue generated by additional real estate tax will not be enough to offset the cost of the services the Town will be expected to provide. Ms. Newell-Foutz said these issues need consideration before Council takes action. It was noted that the Town will provide water to the subdivision whether it is in the County or the Town, and that sewer will be provided by the PSA. It is the responsibility of the developer to install the water and sewer lines. The Town will benefit from the increased population through additional revenues from the State, as well as real estate and personal property taxes. This action would place the Christiansburg Middle School within Town limits. Manager Terpenney will provide Councilmembers with a copy of all pertinent information as soon as possible."

#### ***From 2009 Planning Commission Minutes***

1. No entries.

#### ***From 2009 Town Council Minutes***

1. May 5, 2009 Town Council: "1. Fiscal Year 2009 – 2010 Budget – First Reading. Councilwoman Carter, Chairman of the Finance Committee, reported that the Finance Committee met with town staff to review department needs, and Town Council held a work session to review and discuss the proposed budget, in preparation for the First Reading of the budget. Manager Terpenney reported that the proposed budget includes increases to water fees, sewer fees, water connection fees, sewer connection fees, Conditional Use Permit fees, rezoning fees, site plan review fees, and building plan review fees. New positions proposed: IT Technician, Planner, School Resource Officer for the Middle School, Dispatcher, and an Inspector Trainee for six months. There is not a cost of living increase proposed for Town employees. Major Capital Improvements include: Four sewer extensions, downtown redevelopment on East Main Street, plant mix for the streets, completion of the Aquatic Center, upgrades to the Wastewater Treatment Plant, and three water line extensions. Reserve funds proposed to be increased are: Fire truck reserve, rescue truck reserve, building inspection software, and emergency services building. The Water Authority increased its charges \$0.07 per 1000 gallons (4.76%), and the Solid Waste Authority increased the tipping fee \$3.00 per ton

(6.25%)."

2. May 19, 2009 Town Council: "1. Rezoning request by Danny L. Neff for property at 1225 Stafford Drive (tax parcel 374 – ((1)) – 15) from R-1A Rural Residential to R-1 Single-Family Residential. The property contains 2.749 acres and is scheduled as Conservation - Limited Development in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. Charles Kirk, Stafford Drive, spoke in favor of the rezoning request. Mr. John Travis, adjoining property owner, spoke in favor of the rezoning request; however, he said he is concerned with the existing sewer system for this area, fearing it may be inadequate to handle additional development. Mr. Travis requested that a study be performed on the existing sewer system to determine adequacy before approving additional development. Mr. Danny Neff said he has reviewed the plat indicating existing sewer lines and is prepared to extend those lines if necessary. Mrs. Crystal Neff, daughter-in-law of Danny Neff, spoke in favor of the rezoning, saying she and her husband will reside in the one house built on the property, if rezoned. Mr. Jim Overton, adjoining property owner, spoke in favor of the rezoning, noting current construction of a new neighborhood in this area of Stafford Drive."
3. May 19, 2009 Town Council: "a. Mr. Cline Hall, 640 Cameo Court, reported to Council that heavy rains received early Friday morning (5/15) resulted in a sewer back up in the sewer lines serving his home and several of his neighbors' homes. Raw sewage flooded the basements of several homes on Cameo Court causing significant damage to the homes. Mr. Hall said he believes the back up was caused by too much water going into the sewer and the back up from the nearby creek. Mr. Hall said the Town was made aware of the potential for problems in the past after less severe rain storms, and an inspection of the area on Monday, by Town crews, determined that the nearby manhole cover was not bolted in place, as required, and that the manhole sits too far below grade. Mr. Hall said the continued development in this area has resulted in inadequacies within the sewer system. Mr. Hall said that his private insurance will not cover the damage caused by the sewer back up. He is asking the Town for three things: 1) Add additional capacity to the sewer system and more height to manhole so that surface water cannot go into the sewer lines; 2) Add more capacity to the drainage culverts under Independence Blvd so that flooding will not happen again; 3) He wants the Town, or its insurance, to pay for the remediation and restoration of his and his neighbors' homes since the Town is responsible having been advised of the situation several times, and having failed to remedy the problem. A copy of Mr. Hall's letter to the Town is submitted herewith and made a part of these minutes. Mayor Ballengee commented that numerous problems occurred throughout Town during Friday morning's rain storm. Mayor Ballengee informed Mr. Hall that if he believes the Town is responsible for the damage, he can file a claim with the Town's insurance company. Town Manager Terpenney will provide him with the appropriate insurance information. The sewer line back up also caused significant damage to the Cameo Court homes of Bill and Patty Cockey, and Jennifer Whitmore. It was noted by a resident of Cameo Court that DEQ would test for sewage in the nearby creek in one week."
4. June 16, 2009 Town Council: "1. Mr. Bill Cockey to address Council regarding the Cameo Court sewer backup. Mr. Cockey, who previously addressed Council regarding a recent sewer backup on Cameo Court, provided Council with photographs indicating significant flood damage to his basement from raw sewage that gushed from his toilet last month. He also showed various pictures of the sewer line that runs to his home, a hidden manhole, inadequate culverts, and previous flooding behind Cameo Court. Some of the photographs that indicated stormwater system failure were from 2006. Mr. Cockey said that concerns were reported at that time to the Town's engineering department. Mr. Cockey provided each Councilmember with a hard copy of his presentation. Ms. Jennifer Whittemore, whose home was also flooded with sewage, said there were two issues at hand, one, the sewer backup, and two, the massive

amounts of stormwater and sewer that flows through the area. Ms. Whittemore said she consulted with a professional and it was determined that the "T" section in the manhole is inadequate for this area and for the number of connections to the system. With the system as it is, she is concerned that the sewer flooding could happen again under normal circumstances, not just during heavy rains. Ms. Whittemore showed home video footage, taken earlier today, of normal flow through the manhole. She explained that the footage shows the "T" system failing, impeding the flow, creating the possibility of another backup. She showed diagrams indicating that an "elbow" system is more efficient for this area. Mayor Ballengee expressed his regret that the families on Cameo Court are experiencing this situation, noting that those affected have been provided with the Town's insurance information."

5. July 21, 2009 Town Council: "4. Discussion regarding drainage matter from Hemlock Drive. Town Manager Terpenney reported that the Town visited this site in September 2008, October 2008, December 2008, and today, in response to complaints by Rick Palmer and the property owner, his mother, Linda Palmer. Ms. Palmer is experiencing stormwater run-off from neighboring properties into her backyard, to the extent that she is unable to use her backyard in a reasonable manner, according to Mr. Palmer. The Town met with Mr. Roger Woody, a neighboring property owner, concerning a failing silt fence he had placed between his property and Ms. Palmer's. Mr. Woody met with Ms. Palmer in an attempt to resolve the matter. Since that meeting, Mr. Woody has stabilized his site, with growing grass and removal of the silt fence. Mr. Woody told Council that he has monitored his site and there is no run-off from his property to Ms. Palmer's. Mr. Woody submitted photographs of the property, which were taken today, to Council for review. The photographs indicate growing vegetation and no sedimentation. Mr. Woody further commented that he believes the run-off to Ms. Palmer's property is coming from an upper neighboring site. Manager Terpenney also submitted photographs, taken today by staff inspectors. Upon review of the photographs, Councilman Barber and Councilwoman Carter said they noticed that the direction of the downspouts, which point to the center of the lot, could be a problem with heavy rains. Doug Meredith, an engineer working with Mr. Woody, explained that the Department of Environmental Quality requests that splash blocks and downspouts be placed so as to alleviate water flow into the storm systems. If the splash blocks were removed, and the downspouts redirected, water could be directed to flow to the road and into the storm sewer system. Manager Terpenney noted that the topography maps indicate that water does flow to the area of Ms. Palmer's yard. Pipes were installed to intercept the water flow, which has helped some. Councilman Showalter noted a retaining wall, visible in the photos, that appears to be incomplete. Mr. Palmer commented that the difference in height with the partial retaining wall is approximately four-feet, which makes it impossible for water to go anyplace other than in his mother's yard. Mr. Meredith said he recently visited the site, reviewed the topography maps, and determined that any run-off from Mr. Woody's property has been greatly reduced since development of the property. Mr. Woody has been monitoring this site for run-off since last year, and he will continue to monitor for problems, especially after heavy rains. Mayor Ballengee said the Town, too, will continue to monitor the area, and asked the Palmers to bring it to the Town's attention if Ms. Palmer continues to experience excessive water run-off."
6. July 21, 2009 Town Council: "TOWN MANAGER TERPENNEY reported that the Town engineers have investigated the recent sewer backup on Cameo Court and have submitted their findings to the insurance company. The Town is now waiting to hear back from the insurance company, with hopes of soon resolving this matter."
7. August 4, 2009 Town Council: "MANAGER TERPENNEY noted that each Councilmember has received a copy of changes to Chapter 29, Water and Sewer, *Christiansburg Town Code*, for review. Manager Terpenney said the changes will bring the ordinance in line with pretreatment

regulations, and he asked Council to be prepared to take action on the changes at the August 18, 2009 Regular Town Council meeting."

8. August 18, 2009 Town Council: "b. Amendments to Chapter 29, Water and Sewer, of the *Christiansburg Town Code*. Councilman Barber made a motion to adopt the amendments as presented, seconded by Councilman Wade. Town Clerk Stipes polled Council as follows: Barber – AYE; Carter – AYE; Showalter- AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE."
9. September 1, 2009 Town Council: "Committees of Council Water, Sewer, and Solid Waste Committee: Barber and Wade"