

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: May 29, 2012

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

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

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Library Board
2. Transportation Safety Commission
3. BZA

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were

identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC ADDRESS

VIII. ADDENDUM

IX. CONSENT AGENDA

X. OLD BUSINESS

**A. SUBJECT: GRANT APPLICATION TO THE VIRGINIA
DEPARTMENT OF CONSERVATION AND
RECREATION**

**R-FY-12-
RESOLUTION AUTHORIZING THE APPLICATION
FOR FEDERAL FUNDING ASSISTANCE FROM THE
RECREATION TRAILS PROGRAM TO THE VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION
FOR A NATURE TRAIL IN EASTERN MONTGOMERY COUNTY**

WHEREAS, Under the provisions of the Recreation Trails Program (RTP), federal funding assistance is requested to aid in financing the cost of construction and rehabilitation of trails and trail related amenities; and

WHEREAS, Montgomery County, Virginia considers it in their best interest to complete a nature trail/blueway in eastern Montgomery County, Virginia.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby authorizes Montgomery County to make a formal application to the Virginia Department of Conservation and Recreation (DCR) for funding assistance for the nature trail/blueway.

BE IT FURTHER RESOLVED, The Board of Supervisors is aware of the following conditions:

1. Any fund assistance received will be used for implementation and completion of a nature trail/blueway in eastern Montgomery County, Virginia within a specified timeframe.
2. The Board of Supervisors hereby certifies that the project funding is currently available and committed for this project.
3. The Board of Supervisors is aware that the grant, if approved by DCR and the Federal Highway Administration, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid to our vendors and evidence of such has been provided to DCR in the format required.
4. The Board of Supervisors acknowledges that any property utilizing RTP funding that is not in public ownership will provide evidence of landowner permission for use of the property for trail purposes and that the associated easement allowing the use is for a time period comparable to the nature and magnitude of the investment of the federal funds associated with the project.
5. The Board of Supervisors acknowledges that they are responsible for compliance with the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act and all other applicable state and federal laws.
6. The Board of Supervisors acknowledges that appropriate opportunity for public comment has been provided on this application and evidence of such as required.
7. This resolution becomes part of the formal application to the Virginia Department of Conservation and Recreation.

This resolution was adopted by the Board of Supervisors on May 29, 2012.

ISSUE/PURPOSE: Resolution authorizing the submittal of a grant application to the Virginia Department of Conservation & Recreation.

JUSTIFICATION: A loop trail/blueway is being planned along the Roanoke River at the Eastern Montgomery County Park located behind the Elliston Fire Station. A grant application to the Virginia Department of Conservation & Recreation for \$43,700 will help construct the loop trail.

XI. NEW BUSINESS

A. SUBJECT: LAW LIBRARY

**A-FY-12
TRANSFER FROM LAW LIBRARY
TO COUNTY CAPITAL PROJECTS**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Law Library Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012 for the function and in the amount as follows:

451209 Transfer to County Capital Projects	\$93,774
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203 Designated Fund Balance	\$93,774
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BE IT FURTHER RESOLVED, That the County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2012 for the function and in the amount as follows:

110 Courthouse	\$93,774
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451100 Transfer from Law Library Fund	\$93,774
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Said resolution appropriates funds from the Law Library Fund to the County Capital Projects fund to cover the costs of construction and furniture in the new Courthouse that are related to the Law Library.

ISSUE/PURPOSE: Transfer of funds.

JUSTIFICATION: The Code of Virginia permits Law Library Funds to be used to cover the cost of construction and furniture of Law Library facilities. This resolution appropriates Law Library fund balance and transfers these funds to the Courthouse project. They will only be used for costs associated with the Law Library portion of the new Courthouse.

**B. SUBJECT: DEDICATION OF RIGHT OF WAY
PROVIDING ACCESS TO THE NEW
BLACKSBURG HIGH SCHOOL TO THE
TOWN OF BLACKSBURG**

**R-FY-12-
RESOLUTION APPROVING DEDICATION OF
RIGHT OF WAY PROVIDING ACCESS TO
THE NEW BLACKSBURG HIGH SCHOOL TO
THE TOWN OF BLACKSBURG, VIRGINIA**

WHEREAS, As part of the construction of the new Blacksburg High School, the School Board is constructing a new public access from Prices Fork Road to the school as shown on the attached plat entitled “Plat of Boundary Line Adjustment of Tax Parcel 28-(1)-4A and Tax Parcel 52-(4)-3 Situated Partially Within the Town of Blacksburg and Montgomery County, Virginia” (“the Plat”); and

WHEREAS, Since this new access road will be public and is located in the Town of Blacksburg, Virginia, the Board of Supervisors desire to dedicate to the Town of Blacksburg the new public access road shown more particularly on the attached Plat as “New Right-of-Way Area = 1.634 AC. (within heavy lines)”; and

WHEREAS, The Board of Supervisors desires to authorize the Chair, James D. Politis, on behalf of the Board, to sign the Plat dedicating the new public access road to the Town of Blacksburg, Virginia.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to dedicate the new public access road to be constructed by the School Board to provide access to the new Blacksburg High School from Prices Fork Road identified more particularly on the attached Plat as the “New Right-of-Way Area = 1.634 AC. (within heavy lines)” to the Town of Blacksburg, Virginia; and

BE IT FURTHER RESOLVED By the Board of Supervisors that the Chair, James D. Politis, is hereby authorized on behalf of the Board to sign the Plat dedicating the new public access road to the Town of Blacksburg.

ISSUE/PURPOSE: Dedicate the new public access road to the new Blacksburg High School from Prices Fork Road to the Town of Blacksburg.

JUSTIFICATION: As part of the construction of the new Blacksburg High School, the School Board is constructing a new public access road from Prices Fork Road. Since this new access road will be public and is located in the Town, this resolution dedicates the new road to the Town of Blacksburg. See TAB **F** for a copy of the Plat.

XII. INTO WORK SESSION

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

1. Health Insurance Consortium Update

XIII. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

1. Supervisor Gabriele
2. Supervisor Tuck
3. Supervisor Brown
4. Supervisor Biggs
5. Supervisor Perkins
6. Supervisor Creed
7. Supervisor Politis

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, June 11, 2012
6:00 p.m. – Closed Meeting Items
7:00 p.m. Regular Agenda

Adjourned Meeting
Monday, June 25, 2012
5:30 p.m. Legislative Dinner Meeting
7:00 p.m. Regular Agenda

Regular Meeting
Monday, July 9, 2012
6:00 p.m. – Closed Meeting Items
7:00 p.m. Regular Agenda