

TO: The Honorable Board of Supervisors

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

DATE: December 16, 2013

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 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Old Prices Fork Elementary School Property

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. ADDENDUM

VIII. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the “BURGS” Section of the Roanoke Times on November 17, 2013 and November 24, 2013:

1. Proposed Intent to Abandon a Portion of Elliott Creek Road
Intent to abandon a 1.54 mile portion of Elliott Creek Road (SR 675) heading east from the intersection with Craigs Mountain Road (SR 674) pursuant to Section 33.1-151 of the 1950 Code of Virginia. TAB A.

The following public hearings were advertised pursuant to law in the “BURGS” Section of the Roanoke Times on December 1 and December 8, 2013:

2. Proposed Ordinance Authorizing the Operation of Golf Carts and Utility Vehicles
Proposed Ordinance Authorizing the Operation of Golf Carts and Utility Vehicles on Warm Hearth Drive and Litton Lane within the Warm Hearth Village. TAB B.

3. Proposed Conveyance of a 20' Stormwater Management Easement

Proposed conveyance of a 20' stormwater management easement across a portion of the Christiansburg Middle School property located at 1205 Buffalo Street, N.W. Christiansburg, for the benefit of the adjacent property owner, B&B Storage, LLC. TAB C.

4. Proposed Ordinance Amending the Joint Tourism Agreement

Proposed Ordinance Changing the Requirement for Appointing Members to the Tourism Development Council and the Process for Reviewing Tax Revenues Provided in the Organizational Cooperative Agreement between Montgomery County and the Towns of Blacksburg and Christiansburg for the Creation and Implementation of the Joint Tourism Program. TAB D.

IX. PUBLIC ADDRESS

X. CONSENT AGENDA

XI. NEW BUSINESS

A. SUBJECT: REAL ESTATE AGREEMENT – SHAH DEVELOPMENT, LLC – EXPANSION OF THE MOTOR MILE PARK

**~~R-FY-14-~~
A RESOLUTION APPROVING THE PURCHASE OF
TAX MAP NO. PARCEL 104-(A)-10C FROM
SHAH DEVELOPMENT, LLC FOR
THE EXPANSION OF THE COUNTY'S MOTOR MILE PARK**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Real Estate Sales Agreement between the County of Montgomery and SHAH Development, LLC, dated December 16, 2013, for the purchase by the County of Tax Map Number Parcel 104-(A)-10C from SHAH Development, LLC for the expansion of the County's Motor Mile Park; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, James D. Politis, to execute the Real Estate Sales Agreement and the Deed accepting the Property on behalf of the County of Montgomery, Virginia and execute any other documents required to close the transaction.

ISSUE/PURPOSE: Approve the Real Estate Agreement between the County and SHAH Development LLC for the expansion of the County's Motor Mile Park.

JUSTIFICATION: Additional land is needed in order to expand the County's Motor Mile Park. See TAB I for a copy of the Real Estate Sales Agreement.

B. SUBJECT: ACCEPTANCE OF THE DONATION OF PROPERTY FROM SHAH DEVELOPMENT, LLC FOR THE EXPANSION OF THE COUNTY'S MOTOR MILE PARK

**R-FY-14-
A RESOLUTION APPROVING THE ACCEPTANCE OF THE DONATION OF
TAX MAP NO. PARCEL 104-(A)-10B FROM
SHAH DEVELOPMENT, LLC FOR
THE EXPANSION OF THE COUNTY'S MOTOR MILE PARK**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Donation Agreement between the County of Montgomery and SHAH Development, LLC, dated December 16, 2013, for the donation by SHAH Development, LLC of Tax Map Number Parcel 104-(A)-10B to the County for the expansion of the County's Motor Mile Park; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, James D. Politis, to execute the Donation Agreement and the Deed accepting the Property on behalf of the County of Montgomery, Virginia and execute any other documents required to finalize the donation.

ISSUE/PURPOSE: Approve the Donation Agreement for the donation of land by SHAH Development, LLC for the expansion of the County's Motor Mile Park.

JUSTIFICATION: Additional land is needed in order to expand the County's Motor Mile Park. See TAB J for a copy of the Real Estate Sales Agreement.

C. SUBJECT: CAPITAL RESERVE TRANSFER – MOTOR MILE LAND PURCHASE

**A-FY-14-
CAPITAL RESERVE TRANSFER TO COUNTY CAPITAL PROJECTS
FOR THE MOTOR MILE LAND PURCHASE**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

451209 Transfer to County Capital Projects \$415,000

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

451205 Designated Fund Balance – Capital Reserve \$415,000

BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

700 Parks and Recreation Capital Projects \$415,000

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

451100 Transfer from General Fund \$415,000

Said resolution appropriates funds from the Capital Reserve to the County Capital Project Fund to cover the costs of purchasing land for Motor Mile Park.

ISSUE/PURPOSE: Appropriates fund to cover the costs of purchasing land for the Motor Mile Park.

JUSTIFICATION: This resolution appropriates \$415,000 from the Capital Reserve to cover the cost of purchasing additional land for Motor Mile Park. Given the use of the facility has grown over the years, there is a need for additional space for recreational programs. With this purchase and the land donated by the property owner, the recreational space at this facility will increase by 67%.

D. SUBJECT: REVISIONS TO THE COUNTY'S PERSONNEL POLICY AND PROCEDURES

**R-FY-14-
REVISIONS TO THE COUNTY'S
PERSONNEL POLICY AND PROCEDURES**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby approves and authorizes the changes to the County's Personnel Policies and Procedures dated January 2014.

ISSUE/PURPOSE: Approve the revisions to the County's Personnel Policies and Procedures.

JUSTIFICATION: Annually, the County staff submits to the Board of Supervisors recommended revisions to the County's Personnel Policies and Procedures. See TAB K for a copy of the proposed revisions

E. SUBJECT: COUNTY CAPITAL PROJECTS

**A-FY-14-
COUNTY CAPITAL PROJECTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

451209 Transfer to County Capital Projects \$2,000,000

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

451203 Undesignated Fund Balance \$2,000,000

BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

12 County Capital Projects \$2,000,000

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

451100 Transfer from General Fund \$2,000,000

Said resolution appropriates funds from undesignated fund balance to the County Capital Projects Fund.

ISSUE/PURPOSE: Appropriates funds to the County Capital Projects.

JUSTIFICATION: This resolution appropriates \$2 million for County capital projects based on the staff recommendation made to the Board of Supervisors at a special budget work session on November 4, 2013. During that work session, staff recommended \$2 million of undesignated fund balance be allocated to County capital projects for future County capital needs.

F. SUBJECT: SCHOOL CAPITAL PROJECTS

**~~A-FY-14-~~
SCHOOL CAPITAL PROJECTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

451201	Transfer to School Capital Projects	\$3,000,000
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The source of funds for the foregoing appropriation is as follows:

451203	Undesignated Fund Balance	\$3,000,000
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BE IT FURTHER RESOLVED, The School Capital Projects funds was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014 for the function and in the amount as follows:

19	School Capital Projects	\$3,000,000
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The source of funds for the foregoing appropriation is as follows:

451100	Transfer from General Fund	\$3,000,000
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Said resolution appropriates funds from undesignated fund balance to School capital projects.

ISSUE/PURPOSE: Appropriates funds to the School Capital Projects.

JUSTIFICATION: This resolution appropriates \$3 million for school capital projects based on the staff recommendation made to the Board of Supervisors at a special budget work session on November 4, 2013. During that work session, staff recommended that \$3 million of undesignated fund balance be allocated to school capital projects for future school capital needs.

**G. SUBJECT: RESOLUTION OF APPRECIATION
MAYOR RICHARD BALLENGEE**

**R-FY-14-
RESOLUTION OF APPRECIATION
MAYOR RICHARD BALLENGEE**

WHEREAS, Richard Ballengee has served the citizens of Christiansburg since he was elected to serve as a member of the Christiansburg Town Council in 1996 and served on the Town Council through 2004; and

WHEREAS, Richard Ballengee was elected and served as Mayor of Christiansburg from 2006 through 2013; and

WHEREAS, Richard Ballengee's outstanding leadership contributed to the rapid growth and increased prosperity experienced by the Christiansburg community which has evolved into a dynamic retail hub for the New River Valley; and

WHEREAS, Accomplishments during his years as a member of the Christiansburg Town Council and as Christiansburg's Mayor, included the Christiansburg Aquatic Center, Council 2020 Vision, Joinder Study/Montgomery County joining the NRV Water Authority, establishment of a regional 911 Authority, the Harkrader Sports Complex, Expansion of the Huckleberry Trail, and numerous water and sewer infrastructure improvements; and

WHEREAS, The members of this body, and in particular those who worked closely with him on so many local government matters, recognize that his thoughtful and thorough consideration of issues rightfully earned the respect and trust of this body; and

WHEREAS, Richard Ballengee has announced his retirement from public service, and it is fitting and proper that he be recognized for his dedication and leadership to the Montgomery County and Christiansburg community.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Richard Ballengee*** for his outstanding dedication to the Christiansburg community and the citizens of Montgomery County, and congratulate him upon the occasion of his retirement; and offer sincere best wishes for continued health and happiness.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Richard Ballengee*** and that a copy be a part of the official minutes of Montgomery County.

XII. INTO WORK SESSION

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

1. On Campus Polling Precinct (TAB L)

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

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, January 13, 2014
6:00 p.m. – Closed Meeting Items
7:30 p.m. Regular Agenda

Extended Work Session
Saturday, January 25, 2014
Time: TBA

Adjourned Meeting
Monday, January 27, 2014
6:00 p.m. – Closed Meeting Items
TBD: Regular Agenda