TO: The Honorable Board of Supervisors

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

DATE: March 24, 2014

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 (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Elliott Creek Road Abandonment Request
2. Falling Branch Park and Ride Lot

(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 Blacksburg Middle School Property
2. Old Blacksburg High School Property

(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. Alcohol Safety Action Program (ASAP)
2. New River Community College Board
3. RC&D Council

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. PRESENTATION

A. <u>Virginia Tech – Former Police Chief Wendell Flinchum</u>
A Resolution of Appreciation will be presented to Former Virginia Tech Police Chief, Wendell Flinchum for his years of service to Virginia Tech.

VIII. DELEGATION

A. <u>MOUNTAIN VIEW HUMANE SPAY/NEUTER CLINIC</u>
Kelly Cass, Executive Director, will provide an update on services in Montgomery County.

IX. PUBLIC ADDRESS

X. ADDENDUM

XI. CONSENT AGENDA

XII. OLD BUSINESS

A. SUBJECT: PETITION TO SEEK THE ABANDONMENT OF A PORTION OF ELLIOTT CREEK ROAD RESOLUTIONS TO DENY OR SUPPORT

R-FY-14-
RESOLUTION DENYING PETITION FOR ABANDONMENT OF PORTION OF ELLIOTT CREEK ROAD

WHEREAS, The County has received a petition from Karen Dodson Whitt seeking to abandon 1.54 miles of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road for 1.54 miles; and

WHEREAS, A public hearing was held on December 16, 2013 pursuant to §33.1-151, Code of Virginia to receive comments concerning the request to abandon the section of road described above from the Secondary System of State Highways; and

WHEREAS, After considering all evidence available, the Board of Supervisors determines that a public necessity still exists to keep the above referenced section of Elliot Creek Road in the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby finds that a public necessity still exists to keep the above referenced portion of Elliott Creek Road in the Secondary System of State Highways and therefore denies the petition filed by Karen Dodson Whitt seeking to abandon 1.54 miles of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road for 1.54 miles.

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

OR

R-FY-14-
A RESOLUTION APPROVING PETITION FOR ABANDONMENT OF PORTION OF ELLIOTT CREEK ROAD

WHEREAS, The County has received a petition from Karen Dodson Whitt seeking to abandon 1.54 miles of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road for 1.54 miles; and

WHEREAS, A public notice was posted as prescribed under §33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning the petition filed by Karen Dodson Whitt seeking to abandon a section of Elliott Creek Road described above from the Secondary System of State Highways; and

WHEREAS, The Commissioner of the Virginia Department of Transportation was provided the prescribed notice of the Montgomery County Board of Supervisors intent to abandon the subject section of road; and

WHEREAS, After considering all evidence available, the Board of Supervisors is satisfied that no public necessity exists for the continuance of the section of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road, a distance of 1.54 miles,

and hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby abandons the section of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road, a distance of 1.54 miles and removes it from the Secondary System of State Highways, pursuant to §33.1-151, Code of Virginia.

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

ISSUE/PURPOSE: To deny or approve a petition to abandon a portion of Elliott Creek Road.

XIII. NEW BUSINESS

A. SUBJECT: RESOLUTION ACCEPTING THE CONVEYANCE FROM THE MONTGOMERY COUNTY SCHOOL BOARD OF THE SHAWSVILLE ELEMENTARY SCHOOL PROPERTY

R-FY-14-
RESOLUTION ACCEPTING THE CONVEYANCE FROM THE COUNTY SCHOOL BOARD OF MONTGOMERY COUNTY OF THE SHAWSVILLE ELEMENTARY SCHOOL PROPERTY

WHEREAS, The County School Board of Montgomery County (the "School Board") adopted a Resolution on February 19, 2013, declaring with certain conditions the Shawsville Elementary School Property ("the Property") surplus to its needs since those conditions no longer apply the School Board is ready to now convey the Property to the Board of Supervisors; and

WHEREAS, The School Board has requested the Board of Supervisors to be able to use the proceeds if the Board of Supervisors sells the Property as a portion of the funding to reduce existing school debt, capital school improvement projects, or be used to fund debt service for other capital school construction projects; and

WHEREAS, The Board of Supervisors desires to accept the conveyance of the Shawsville Elementary School Property from the School Board and if the Property is sold to authorize the School Board to use the net proceeds from the sale after the County is reimbursed for its costs of selling the Property as a portion of the funding for the School Capital Projects.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William H. Brown, Chair, to accept from the School Board on behalf of the Board of Supervisors, the conveyance of the Shawsville Elementary School Property; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that should the Board of Supervisors sell the Property, the Board of Supervisors hereby authorizes the School Board, subject to future appropriation, to use the net proceeds from the sale after the County is reimbursed for its costs of selling the Property, as a portion of the funding for the School Capital Projects.

ISSUE/PURPOSE:	Resolution accepting the conveyance of the Shawsville Elementary School Property.
JUSTIFICATION:	The Montgomery County School Board by resolution declared the Shawsville Elementary School Property surplus and authorized the conveyance of the Property to the Board of Supervisors. See TAB **B** for a copy of the School Board's resolution.

B. SUBJECT: PROCLAMATION – NATIONAL LIBRARY WEEK

R-FY-14-
PROCLAMATION
NATIONAL LIBRARY WEEK
APRIL 13-19, 2014

WHEREAS, Libraries help lives change in their communities, campuses and schools; and

WHEREAS, Librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls; and

WHEREAS, Libraries and librarians bring together community members to enrich and shape the community and address local issues; and

WHEREAS, Librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

WHEREAS, Libraries offer programs to meet community needs, providing residents with resume writing classes, 24/7 homework help and financial planning services to teens applying for student loans to older adults planning their retirement; and

WHEREAS, Libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

WHEREAS, Libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby proclaims **April 13-19, 2014** as **National Library Week** and encourages all residents to visit their branch of the Montgomery-Floyd Regional Library this week to take advantage of the wonderful library resources available to them.

ISSUE/PURPOSE: Proclaim April 13-19, 2014 as National Library Week.

C. SUBJECT: PROCLAMATION – NATIONAL CHILD ABUSE PREVENTION MONTH

R-FY-14-
PROCLAMATION
CHILD ABUSE PREVENTION MONTH
APRIL 2014

WHEREAS, Preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

WHEREAS, Child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, The majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, All citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

WHEREAS, Effective child abuse prevention programs succeed because of partnerships created among families, social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

NOW, THEREFORE BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia does hereby proclaim **April** as **Child Abuse Prevention Month** and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in efforts to support families, thereby preventing child abuse and neglect and strengthening the communities in which we live.

ISSUE/PURPOSE: Proclaim April 2014 as National Child Abuse Prevention Month.

D. SUBJECT: PROCLAMATION – LOCAL GOVERNMENT EDUCATION WEEK

R-FY-14-
PROCLAMATION
LOCAL GOVERNMENT EDUCATION WEEK-
APRIL 1 – 7, 2014

WHEREAS, Local governments throughout the Commonwealth provide valuable services to the residents of the communities they serve; and

WHEREAS, Local governments and their employees play a vital role in the health and vitality of communities through the enforcement of state and local laws, promotion of public health and safety, provision of recreational opportunities, and education of local children; and

WHEREAS, Local government officials across the Commonwealth promote civic education and engagement to help citizens better understand their local government, foster a positive sense of community, and prepare the next generation of local government managers; and

WHEREAS, The designation of a statewide week devoted to educating individuals as to the role that local government plays in their life would more effectively recognize and promote civic education within school systems and in the larger community; and

WHEREAS, The **first week of April** is an appropriate week for this designation, as it was on April 2, 1908 that the Council-Manager form of government was created in the City of Staunton, Virginia.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors designates **April 1st – 7th in 2014** as **Local Government Education Week in Montgomery County.**

BE IT FURTHER RESOLVED, That the County Administrator is authorized to post the designation of **April 1st – 7th 2014** as **Local Government Education Week in Montgomery County** on the County's website.

ISSUE/PURPOSE: Designate the first week in April 2014 as Local Government Education Week.

JUSTIFICATION: The 2012 General Assembly adopted a resolution proclaiming the first week of April as Local Government Education week in honor of the formation of the Council-Manager form of government in the City of Staunton. A VLGMA committee (Virginia Local Government Managers Association) is spreading the word of the event in order to acknowledge good works, educate on all local government services provided at the local level including education, and to increase awareness of students of career opportunities in local government. This will help to strengthen interest in local government management/public service as a viable career.

E. SUBJECT: PROCLAMATION – NATIONAL VOLUNTEER WEEK

R-FY-14-
PROCLAMATION
NATIONAL VOLUNTEER WEEK
APRIL 6-12, 2014

WHEREAS, Established in 1974, National Volunteer Week has grown exponentially in scope each year since, drawing the support and endorsement of all subsequent U.S. presidents, governors, mayors and other respected elected officials; and

WHEREAS, National Volunteer Week is about inspiring, recognizing and encouraging people to seek out imaginative ways to engage in their communities; and

WHEREAS, The entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, Volunteers can connect with local community service opportunities through hundreds of community service organizations like, RSVP, HandsOn Network affiliates and volunteer centers; and

WHEREAS, Individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, During this week all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

WHEREAS, The giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, Experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, Our country's volunteer force of over 63 million is a great treasure; and

WHEREAS, Volunteers are vital to our future as a caring and productive nation.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia here proclaims **National Volunteer Week, April 6-12, 2014** in Montgomery County, and urges their fellow citizens to volunteer in their communities, by volunteering and recognizing those who serve, we can come together to make a difference.

ISSUE/PURPOSE: Proclaim April 6-12, 2014 as National Volunteer Week.

XIV. COUNTY ATTORNEY'S REPORT

XV. COUNTY ADMINISTRATOR'S REPORT

XVI. BOARD MEMBERS' REPORT

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

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Community Conversations Meeting
Christiansburg High School – Auditorium
Tuesday, March 25, 2014
7:00 p.m.

Special Meeting
Public Hearing on the Advertised Tax Rate and
Advertised FY 15 Budget
Thursday, April 3, 2014
7:00 p.m.

Community Conversations Meeting
Margaret Beeks Elementary School – Annex
Tuesday, April 8, 2014
7:00 p.m.

Special Joint Meeting
with the Town of Blacksburg
Thursday, April 10, 2014
Location: TBD
7:00 p.m.

Regular Meeting
Monday, April 14, 2014
6:30 p.m. – Closed Meeting Items
7:15 Regular Agenda