TO: The Honorable Board of Supervisors

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

DATE: August 25, 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 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. 2014-018
2. 2014-010

(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

3. Former Blacksburg Middle 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. Board of Equalization
2. Personnel

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. PRESENTATIONS

A. Montgomery County All-Stars Dixie X-Play Ponytails Softball Team – 2014 District 6 Tournament Champions, 2014 Virginia State Champions and Second Place in the 2014 World Series

The Montgomery County All-Stars Dixie X-Play Ponytails Softball Team won the 2014 District 6 Championship, the Virginia State Championship and finished 2nd Place in the World Series games held in Louisiana.

Montgomery County All-Stars consist of the following: Cortney Cochran, Skylar Dehart, Emily Scaggs, Jaylin Shepherd, Abigail Wilson, Tori Boyd, McKenzie Lawrence, Rachel Harding, Rebecca Harding, Adyson Huff, Leah Harrison and Morgan Wade. The team is managed by Rick Boyd and coached by Booie Dehart, William Harrison, Mike Hinkley and Randy Lawrence.

B. Resolution of Commemoration – Joel A. Donahue

The Montgomery County Board of Supervisors will present a Resolution of Commemoration to the family of Joel A. Donahue. Mr. Donahue served on the Montgomery County Adjustment and Appeals Board and the Planning Commission.

VIII. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised pursuant to law in the "BURGS" Section of the Roanoke Times on August 10 and August 17, 2014:

Appalachian Power Company – Request for Right-of-Way Easement

Board of Supervisors intent to convey a thirty-foot (30') wide easement and right-of-way to Appalachian Power Company located along Cinnabar Road on the front of the Mid-County Park Tax Map No. 67-A-162 and County Garage property, Tax Map No. 406-A-13D and a variable width easement widening an existing easement and right-of-way along the Huckleberry Trail, Tax Map No. 067-A 230 where the Trail intersects Hightop Road. TAB A .

IX. PUBLIC ADDRESS

X. ADDENDUM

XI. CONSENT AGENDA

XII. NEW BUSINESS

A. SUBJECT: CONVEYANCE OF A 30' EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER – COUNTY GARAGE PROPERTY

R-FY-15-
RESOLUTION AUTHORIZING THE CONVEYANCE OF A THIRTY FOOT (30') WIDE EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER COMPANY LOCATED ALONG CINNABAR ROAD ON THE FRONT OF THE COUNTY GARAGE PROPERTY TAX MAP NO 406-A-13D

WHEREAS, Appalachian Power Company ("AEP") has requested the Board of Supervisors of the County of Montgomery, Virginia to convey a thirty foot wide easement and right-of-way located along Cinnabar Road on the front of the County Garage Property, Tax Map 406-A-13D, shown more particularly on the plat marked Exhibit "A" entitled "MERRIMAC-MIDWAY LINE ACROSS THE PROPERTY OF BOARD OF SUPERVISORS OF MONTGOMERY COUNTY" dated 1/29/2014, as part of AEP's realignment of its Merrimac-Midway 69 kv transmission line; and

WHEREAS, The Board of Supervisors is willing to convey the thirty foot wide easement and right-of-way to AEP for the appraised value of One Thousand Seven Hundred Fifty Dollars ($1,750.00) offered by AEP as compensation; and

WHEREAS, A public hearing on this proposed conveyance was held on Monday, August 25, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a thirty foot wide easement and right-of-way to AEP on Tax Map 406-A-13D located along Cinnabar Road on the front of the County Garage Property for the appraised value offered by AEP of One Thousand Seven Hundred Fifty Dollars ($1,750.00); and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William Brown, Chair, to sign the Easement and any other documents necessary to convey the easement and right-of-way to Appalachian Power Company.

ISSUE/PURPOSE: Convey a 30' easement and right-of-way to AEP.

JUSTIFICATION: AEP's realignment of its Merrimac-Midway 69 kv transmission line requires an right-of-way across the County's Garage property.

B. SUBJECT: CONVEYANCE OF A 30' EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER - MID-COUNTY PARK

R-FY-15-

RESOLUTION AUTHORIZING THE CONVEYANCE OF A THIRTY FOOT (30') WIDE EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER COMPANY LOCATED ALONG CINNABAR ROAD ON THE FRONT OF THE MID-COUNTY PARK TAX MAP NO 67-A-162

WHEREAS, Appalachian Power Company ("AEP") has requested the Board of Supervisors of the County of Montgomery, Virginia to convey a thirty foot wide easement and right-of-way located along Cinnabar Road on the front of Mid-County Park Property, Tax Map 406-A-13D, shown more particularly on the plat marked Exhibit "A" entitled "MERRIMAC-MIDWAY LINE ACROSS THE PROPERTY OF COUNTY OF MONTGOMERY STATE OF VIRGINIA" dated 1/29/2014, as part of AEP's realignment of its Merrimac-Midway 69 kV transmission line; and

WHEREAS, The Board of Supervisors is willing to convey the thirty foot wide easement and right-of-way to AEP for the appraised value of Two Thousand Two Hundred Fifty Dollars ($2,250.00) offered by AEP as compensation; and

WHEREAS, A public hearing on this proposed conveyance was held on Monday, August 25, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a thirty foot wide easement and right-of-way to AEP on Tax Map 67-A-162 located along Cinnabar Road on the front of the Mid-County Park Property for the appraised value offered by AEP of Two Thousand Two Hundred Fifty Dollars ($2,250.00); and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William Brown, Chair, to sign the Easement and any other documents necessary to convey the easement and right-of-way to Appalachian Power Company.

ISSUE/PURPOSE: Convey a 30' easement and right-of-way to AEP.

JUSTIFICATION: AEP's realignment of its Merrimac-Midway 69 kv transmission line requires an right-of-way across the Mid-County Park property.

C. SUBJECT: CONVEYANCE OF A VARIABLE WIDTH EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER – HUCKLEBERRY TRAIL

R-FY-15-

RESOLUTION AUTHORIZING THE CONVEYANCE OF A VARIABLE WIDTH EASEMENT WIDENING AN EXISTING EASEMENT AND RIGHT-OF-WAY ALONG THE HUCKLEBERRY TRAIL, TAX MAP NO 67-A-230, WHERE THE TRAIL INTERSECTS HIGHTOP ROAD

WHEREAS, Appalachian Power Company ("AEP") has requested the Board of Supervisors of the County of Montgomery, Virginia to convey a variable width easement widening an existing easement and right-of-way along the Huckleberry Trail Tax Map 067-A-230, where the trail intersects Hightop Road, shown more particularly on the plat marked Exhibit "A" entitled "FALLING BRANCH-MERRIMAC LINE AND MERRIMAC–MIDWAY LINE ACROSS THE PROPERTY OF MONTGOMERY COUNTY OF BOARD OF SUPERVISORS" dated 10/02/2013, as part of AEP's realignment of its Merrimac-Midway 69 kV transmission line; and

WHEREAS, The Board of Supervisors is willing to convey the variable width easement to AEP for the appraised value of One Thousand Five Hundred Dollars ($1,500.00) offered by AEP as compensation; and

WHEREAS, A public hearing on this proposed conveyance was held on Monday, August 25, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a variable width easement widening an existing easement and right-of-way to AEP along the Huckleberry Trail, Tax Map 67-A-230, where the trail intersects Hightop Road, for the appraised value offered by AEP of One Thousand Five Hundred Dollars ($1,500.00); and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William Brown, Chair, to sign the Easement and any other documents necessary to convey the easement and right-of-way to Appalachian Power Company.

ISSUE/PURPOSE:	Convey a variable width easement and right-of-way to AEP.
JUSTIFICATION:	AEP's realignment of its Merrimac-Midway 69 kv transmission line requires an right-of-way through the a section of the Huckleberry Trail located in the County.

D. SUBJECT: PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR 2014

R-FY-15
RESOLUTION ESTABLISHING THE PERSONAL PROPERTY TAX RELIEF PERCENTAGE FOR 2014

WHEREAS, The Personal Property Tax Relief Act of 1998, Virginia Code §58.1-3523, et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the "2005 Appropriations Act"); and

WHEREAS, These legislative enactments required the County of Montgomery, Virginia, to take affirmative steps to implement these changes and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS, These legislative enactments provide for the appropriation to the County of Montgomery, Virginia, commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax ("PPT") on such vehicles and provide the opportunity for the County of Montgomery, Virginia, to fashion a program of tax relief that serves the best interest of its citizenry; and

WHEREAS, The Board of Supervisors adopted an ordinance to implement the changes to PPTRA affected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia on November 28, 2005.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the rate of 100% of relief shall be applied to each qualifying vehicle valued at $1,000 or less and that the rate of 44.65% shall be applied to the first $20,000 in value of each qualifying vehicle with a value above $1,000. Those rates of relief are estimated to exhaust PPTRA relief funds available to the County of Montgomery, Virginia, by the Commonwealth of Virginia for Tax Year 2014.

FURTHER BE IT RESOLVED, That any amount of PPTRA relief not used within the County of Montgomery's Fiscal Year shall be carried forward and used to increase the funds available for personal property tax relief in the following Fiscal Year.

ISSUE/PURPOSE:	Establish personal property tax relief percentage.
JUSTIFICATION:	Each year, the County establishes a tax relief percentage based on the amount of state funding proportional to the tax levy on qualifying motor vehicles. Last year, the relief percentage was 48.45%. This year, the total personal property value is more than the prior year. Therefore, the relief percentage has decreased to 44.65%.

XIII. COUNTY ATTORNEY'S REPORT

XIV. COUNTY ADMINISTRATOR'S REPORT

XV. BOARD MEMBERS' REPORT

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

XVI. OTHER BUSINESS

XVII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, September 8, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, September 22, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Special Joint Meeting
with the School Board
Tuesday, September 30, 2014
7:00 p.m.

Regular Meeting
Tuesday, October 14, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting