AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 10th DAY OF MARCH, 2014 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Matthew R. Gabriele	
	M. Todd King	
	Annette S. Perkins (arrived 6:30 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Dari Jenkins	-Zoning Administrator
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

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

(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. AFD Advisory Committee
2. Community Services Board
3. Economic Development Authority
4. Planning Commission
5. Personnel

The vote on the forgoing motion was as follows:

AYE	NAY	ABSENT DURING VOTE
Gary D. Creed	None	Annette S. Perkins
M. Todd King		
Mary W. Biggs		
Christopher A. Tuck		
Matthew R. Gabriele		
William H. Brown		

Supervisor Perkins arrived at 6:30 p.m.

OUT OF CLOSED MEETING

On a motion by Christopher A. Tuck, seconded by Annette S. Perkins and carried unanimously,

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

The vote on the forgoing motion was as follows:

AYE	NAY
M. Todd King	None
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
William H. Brown	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

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
Mary W. Biggs
Annette S. Perkins (For time present in Closed Meeting)
Christopher A. Tuck
Matthew R. Gabriele
Gary D. Creed
M. Todd King
William H. Brown

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATION

Virginia Department of Transportation

David Clarke, VDOT Residency Administrator, provided an update on road issues/projects in Montgomery County. Mr. Clarke reported VDOT is still working on weather related road maintenance work. The roads in the County have really taking a toll due to the weather this winter. There are over 120 miles of unpaved roads in Montgomery County more than any other county in the Salem District.

He reported that the request to install a guardrail along a section of Brush Mountain Road (SR 777) has been scheduled for installation and the cost is estimated at $15,000. Supervisor Biggs asked for an approximate date for installation. Mr. Clarke replied it will be several months before the contractors will be in Montgomery County.

Supervisor Creed received an e-mail from Darlene Oliver expressing concerns with Oliver Road. Ms. Oliver stated that there is a ditch on Oliver Road that feeds into a ditch on Flatwoods Road. VDOT has promised to clean out the ditch located on VDOT right-of-way to allow proper drainage from Oliver Road. According to Ms. Oliver, VDOT has not cleaned out the ditch and during inclement weather it freezes which creates a hazard to traffic coming around a blind curve. Ms. Oliver requested the Board to encourage VDOT to fulfill their promise and clean out the ditch.

Supervisor Tuck reported that the large boulder on Elliott Creek Road (SR 675) is still in the roadway creating a safety issue. David Clarke thought the boulder had been removed. He will contact the VDOT maintenance staff to get the boulder removed.

PUBLIC ADDRESS

Angie Cornett addressed the Board in support of the School Board's budget and urged the Board of Supervisors to reconsider a their decision not to increase the tax rate for FY 15. Ms. Cornett stated the school system has a $4 million shortfall and listed a number of impacts to the schools. She stated education is the future and she supports an increase and oswilling to pay for it.

Mary Ann Capp opposes the closure of a portion of Elliott Creek Road. Ms. Capp stated there are numerous issues to be considered. She submitted pictures, and a petition opposing the closing of any portion of Elliott Creek Road.

Patricia Winter opposes the closure of a portion of Elliott Creek Road. Ms. Winters believes this portion should remain open for emergency access.

Robbie Jones spoke in support of the school budget as presented by the School Board. Ms. Jones stated this is a needs base budget. She stated there are custodians not making a living wage in order to pay for the basic needs and she has seen teachers who pay for supplies and food out of their own pocket for their classroom.

John Gill addressed concerns he has with the School Board's proposed budget. Mr. Gill expressed concerns with the School Board in the past redirecting money allocated for other uses and not what was intended for. He questioned the cost of health care and covering 100% of the employee cost. Mr. Gill also stated that there are three elementary schools in Blacksburg with low enrollment rates and believes that schools should be consolidated in order to save costs.

Michelle Alley spoke in opposition to closing a portion of Elliott Creek Road. Ms. Alley stated her family uses this road for walking, biking, playing in the creek, and would hate to see this road closed. She also stated the road needs to stay open in case of emergency situations that would entail public safety personnel using this road to reach the other side of Alleghany Springs.

Kelly Pleasant addressed the Board regarding the School Board's proposed FY 15 budget. Ms. Pleasant thanked the Board for their past support for the schools by appropriating additional county monies to fill a hole left by the state. She supports the proposed school budget and requested the Board provide the appropriate services to the citizens.

Karen Whitt, the landowner requesting a portion of Elliott Creek Road (SR 675) to be abandoned, explained her request. Ms. Whitt explained she is the sole owner of the land on both sides of Elliott Creek Road beginning at the intersection of Craigs Mountain Road (SR 674) and Elliott Creek Road for 1.54 miles, with no other landowner adjacent to her property. She provided a video showing the section of the road that had been discontinued in 1979 and is in such disrepair it is not passable by car and hardly passable with a four-wheeler.

Jennifer Shanks spoke in support of abandoning a portion of Elliott Creek Road. Ms. Shanks stated that motorists have gotten lost on this section of road. She also noted that VDOT does not maintain this section of road either.

Lynn Nystrom spoke in support of abandoning a portion of Elliott Creek Road. Ms. Nystorm stated that there are numerous roads that connect Shawsville to the Rogers area of the County and that it will be less costly to use these than to upgrade the discontinued portion of Elliott Creek Road in order to use it as a direct route.

Kara Dodson supports the request to abandon a portion of Elliott Creek Road. Ms. Dodson continued showing the video provided by Ms. Whitt which shows the discontinued portion of Elliott Creek Road. She stated that a vehicle would not be able to travel along the discontinued portion to get to Split Rail Road.

Pam Arnold supports the request to abandon a portion of Elliott Creek Road. Ms. Arnold stated she has witnessed floods in the area and the road should be abandoned.

Tom Whitt supports the request to abandon a portion of Elliott Creek Road. Mr. Whitt stated the condition of the road is deteriorating and has not been properly maintained by VDOT. The road is narrow and getting worse as the sides of the road wash away.

Sherri Blevins addressed the Board about her concerns with the Falling Branch Park and Ride Lot. Ms. Blevins stated that the Park and Ride lot is a continued threat to the Falling Branch Elementary School as long as it is located near the school. Ms. Blevins provided statistics of incidents over the last year and stated they have had six more incidents with one police call since the February 10, 2014 incident involving the US Marshalls. She expressed her frustration that nothing has been done for over a year since they first requested this lot be moved.

Tracy Hurst addressed the Board about her concerns with the Falling Branch Park and Ride Lot. Ms. Hurst stated they have contacted VDOT, Board of Supervisors, School Board members, and State Delegates about the issue with the Park and Ride. They will continue to fight this issue and urged the Board of Supervisors to continue discussions with VDOT until the Park and Ride Lot is moved.

Eddie Woolwine commented on the request to abandon a portion of Elliott Creek Road. Mr. Woolwine read a section of the State Code stating that consideration of historical preference on a road should be accounted for and he believes Elliot Creek Road is historical in nature. He stated that a lot of people like to access this road and he would like to use this road to get to Split Rail Road to Alleghany Springs. Mr. Woolwine stated that the section of Elliott Creek Road in question is in disrepair and does not understand why it has not been maintained.

Lori Schetselea addressed the Board about her concerns with the Falling Branch Park and Ride Lot. She stated she is speaking on behalf of the children who don't have a voice. She believes this issue needs to be resolved before a tragedy happens.

Lynn Tobias spoke in support of the abandonment of a portion of Elliott Creek Road. Ms. Tobias stated the discontinued section near the end of Elliott Creek Road is not accessible by vehicle and cannot be used as a direct route for motorists to Alleghany Springs.

Jennifer Hatcher addressed the Board about her concerns with the Falling Branch Park and Ride Lot. She is frustrated with the long process and that nothing has been done to date to move the park and ride. Ms. Hatcher reported that there are still documented incidents of trespassing at the Falling Branch Elementary School and believes it will continue as long as this lot is near the school.

Susan Gray supports the request to abandon a portion of Elliott Creek Road. Ms. Gray stated Ms. Whitt is speaking the truth with no hidden agenda. The Board needs to consider the safety and welfare of the citizens who travel this road. The discontinued portion of Elliott Creek Road is in such disrepair, that to bring it up to VDOT standards will be costly.

Bennett Teates expressed his appreciation to the Board for proposing no tax increases in the proposed FY 15 budget.

Charlie Bowles addressed the Board with concerns regarding several issues, such as road maintenance on county roads and a high real estate tax rate

Barbara Jones urged the Board to make relocating the Park and Ride Lot a priority. She is concerned with her grandchildren attending the Falling Branch Elementary School on a daily basis.

Melissa Smith appreciates the Board supports in trying to get the Falling Branch Park and Ride Lot relocated. She suggested that a temporary bus stop for the Megabus and Smartway bus be built until a permanent location is found.

Ginny McCraw urged the Board to make relocating the Falling Branch Park and Ride Lot their number one priority.

There being no further speakers, the public address session was closed.

RECESS

The Board took a 15 minute recess at 9:00 p.m. and reconvened at 9:15 p.m.

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously, the Consent Agenda dated March 10, 2014 was approved. The vote was as follows:

AYE	NAY
Annette S. Perkins	None
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
M. Todd King	
Mary W. Biggs	
William H. Brown	

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously, the minutes dated September 9, 2013 were approved.

Appropriations and Transfers

A-FY-14-80
SHERIFF
ASSET FORFEITURE FUNDS

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

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:

321	Sheriff's Department	$21,107

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account		
424404	Confiscations-Federal	$ 2,162
419104	Confiscations-State	$18,945
	Total	$21,107

Said resolution appropriates monies received from the Department of Criminal Justice Services Asset Forfeitures.

A-FY-14-81
WESTERN VIRGINIA REGIONAL JAIL
SUPPLEMENTAL APPROPRIATION

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

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:

320	Sheriff – County	$800,000

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

451203	Undesignated Fund Balance	$800,000

Said resolution appropriates funds to cover the costs associated with increased usage at the regional jail.

A-FY-14-82
REVENUE REFUNDS
TRANSFER FROM GENERAL CONTINGENCIES

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	($12,000)

TO:

900	Revenue Refunds	$12,000

Said resolution transfers funds from General Contingencies to Revenue Refunds to cover interest payments associated with tax refunds.

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously,

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

1. Former Prices Fork Elementary School Proposed Rezoning.
2. Request to Abandon Elliott Creek Road (SR 675)

The vote on the forgoing motion was as follows:

AYE	NAY
Christopher A. Tuck	None
Matthew R. Gabriele	
Gary D. Creed	
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
William H. Brown	

Former Prices Fork Elementary School Proposed Rezoning

Steve Semones with Balzer and Associates made a presentation on the proposed rezoning of the former Prices Fork Elementary School. Mr. Semones reported that Taylor Hollow Management is proposing the development of the property in three phases. Phase I consists of renovation of the existing structure for senior living (9 two-bedroom apartments and 14 one -bedroom apartments) and upgrading the parking area. They are also considering a daycare and farmers market/food pantry. Phase II will occur on the back 5 acres of the property and will consist of residential housing. Phase III will be an addition built onto the existing structure that will provide for additional senior living.

Request to Abandon a Portion of Elliott Creek Road (SR 675)

Dari Jenkins, Zoning Administrator, provided a report on the request to abandon a portion of Elliott Creek Road (SR 675). Ms. Jenkins reported that Karen Whitt submitted a letter requesting a secondary state road abandonment beginning at the intersection of Craigs Mountain Road and Elliott Creek Road, 1.54 miles east along Elliott Creek Road. Ms. Whitt is the sole property owner of land on both sides of the road. 1.14 miles of Elliott Creek Road currently is a secondary state maintained road. The remaining 0.4 miles following Elliot Creek towards Split Rail Road was discontinued in June 1979. Even though the .4 mile is discontinued it is still a public right-of-way. Currently this .4 mile section is overgrown and not passable with a motor vehicle.

The Board of Supervisors had a lengthy discussion on the request. They requested the following information be provided to them:

- Sheriff's data on calls to this area.
- Opinion from Fire and Rescue regarding the possible road closure.
- When was the last time VDOT did any maintenance work on this road? Does VDOT provide snow removal?
- Concern there is no cul-de-sac or turn-around at the end of the state maintenance section to provide a safe turn-around for motorists.

The Board did express concern with the road being narrow and in some areas only wide enough for one vehicle. Erosion on the shoulder of the road is concerning, especially since there is not room to build the shoulder back up. The Board asked David Clarke, VDOT Residency Administrator, what happens when a shoulder along a road gives way due to erosion. Mr. Clarke explained that if there is shoulder erosion and the road is considered a safety hazard to travel on then the road will have to be closed. It will be too expensive to repair and build the road back up. He reported that a road in Giles County had to be closed just last year due to the road being narrow and the shoulder of the road had eroded and the road became impassable.

The Board thanked everyone for coming out tonight to express either their support or opposition to the request to abandon a portion of Elliott Creek Road. They have a lot to consider and will plan to have this request on the March 24th meeting to either approve or deny.

OUT OF WORK SESSION

On a motion by Christopher A. Tuck, seconded by Matthew R. Gabriele and carried unanimously,

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

The vote on the forgoing motion was as follows:

AYE	NAY
Matthew R. Gabriele	None
Gary D. Creed	
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
William H. Brown	

NEW BUSINESS

R-FY-14-106
REFER TO PLANNING COMMISSION
REQUEST TO AMEND THE COUNTY'S
ZONING ORDINANCE FOR THE MANUFACTURING LIGHT (M-L) DISTRICT

On a motion by M. Todd King, seconded by Matthew R. Gabriele and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby refers to the Planning Commission a request to amend the Montgomery County Zoning Ordinance to allow "Contractor's Service Establishment" as a use allowed by-right in the Manufacturing Light (M-L) District and report back to the Board of Supervisors with its findings and proposed recommendations.

The vote on the forgoing resolution was as follows:

AYE	NAY
M. Todd King	None
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
Annette S. Perkins	
William H. Brown	

R-FY-14-107
FY 2009 REVENUE SHARING PROJECT ALLEGHANY SPRINGS ROAD (SR 637) BRIDGE REPLACEMENT – TRANSFER FUNDS TO FY 2014 REVENUE SHARING PROJECT BLUE SPRINGS ROAD (613)

On a motion by Matthew R. Gabriele, seconded by Christopher A. Tuck and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby requests the Virginia Department of Transportation to transfer $32,342 from FY 2009 Revenue Sharing funds for the Alleghany Springs Road (SR 637) bridge replacement project UPC 91586 to the FY 2014 Revenue Sharing project for Blue Springs Road (SR 613) UPC 104244 for the purpose of completing the project.

The vote on the forgoing resolution was as follows:

AYE	NAY
Mary W. Biggs	Gary D. Creed
Christopher A. Tuck	
Matthew R. Gabriele	
Annette S. Perkins	
M. Todd King	
William H. Brown	

R-FY-14-108
FY 2010 REVENUE SHARING PROJECT WILLIS HOLLOW ROAD (SR 609) TRANSFER FUNDS TO FY 2014 REVENUE SHARING PROJECT BRUSH CREEK ROAD (SR 614)

On a motion by Christopher A. Tuck, seconded by Matthew R. Gabriele and carried,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby requests the Virginia Department of Transportation to transfer $138,570 from FY 2010 Revenue Sharing funds for Willis Hollow Road (SR 609) project UPC 94738 to the FY 2014 Revenue Sharing Project for Brush Creek Road (SR 617) UPC 104246 for the purpose of completing the project.

The vote on the forgoing resolution was as follows:

AYE	NAY
Annette S. Perkins	Gary D. Creed
Christopher A. Tuck	
Matthew R. Gabriele	
M. Todd King	
Mary W. Biggs	
William H. Brown	

Supervisor Creed stated he voted no on both resolutions due to the fact that the remaining balances from completed revenue sharing projects are from his district. He believes the funds should be transferred to projects in his district.

R-FY-14-109
PROCLAMATION
TAKE BACK THE NIGHT RALLY AND MARCH

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The first ***Take Back the Night*** event was held in Germany in 1973 in response to a series of sexual assaults, rapes, and murders; and

WHEREAS, Five years later in the United States, a ***Take Back the Night*** march was held in San Francisco where over 5,000 women from 30 states participated; and

WHEREAS, Since then, marches have been held throughout the U.S., Canada, Latin America, India, and Europe; and

WHEREAS, ***Take Back the Night*** marches have been held in Richmond and Charlottesville, and at Hollins University, Radford University, Roanoke College, and Virginia Tech; and

WHEREAS, Marchers have called attention to violence against women—sexual harassment, misogyny, rape, and murder; this violence affects both individuals in the community and the community as a whole; and

WHEREAS, The 25th annual ***Take Back the Night*** Rally and March will be held Thursday, March 27, 2014 beginning at 7:00 p.m. on the Drillfield in front of the chapel at Virginia Tech to bring our community together to protest violence against women and to promote awareness of attitudes, beliefs, and behaviors which perpetuate this violence.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia supports the 25th annual ***Take Back the Night*** event which is part of Women's Month 2014.

The vote on the forgoing resolution was as follows:

AYE	NAY
Christopher A. Tuck	None
Matthew R. Gabriele	
Gary D. Creed	
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
William H. Brown	

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reminded Board members of the special meeting on Monday, March 17, 2014. The purpose of the meeting is to hold a work session on the FY 15 Budget and to consider establishing an advertised real estate tax rate and advertised FY 15 Budget. The public hearing on the advertised tax rate and budget is scheduled for Thursday, April 3, 2014.

BOARD MEMBERS REPORTS

Supervisor Gabriele expressed concerns with the lack of a state budget and how it's going to impact the County's decisions on the County's budget. He is concerned about adopting an advertised tax rate/budget before knowing what the General Assembly will do.

Supervisor Gabriele requested the following information:

- Capital Maintenance County/School: Requested a report showing how much money has been spent on capital maintenance for county and school facilities over the last 5-6 years.

- Western Virginia Regional Jail – Cost increases: Thanked staff for the information regarding the crime rate, arrest rates, etc… in Montgomery County. He would like to have additional information as to why there is a high increase of inmates in the jails.

Supervisor Creed Demolition of the Shawsville Middle School Annex and Sports Facility: Supervisor Creed expressed concern that the School Board is including the adjoining sports facility (bleachers, lights, dug outs, concessions facility, etc.) in the scope of the demolition of the SMS Annex, which is scheduled for demolition the first part of July. He said that the community still uses this site for their 4th of July event and fireworks. The fireworks permit has already been approved for this location and will be difficult to find another location and get another permit this short of timeframe. He also stated the athletic fields are still being used. The County Administrator was instructed to discuss this project with the School Superintendent and convey the Board of Supervisors' concerns with the demolition of the adjoining sports facilities and inquire about the School Board's future plans for this site.

Supervisor Biggs expressed her concerns with the Falling Branch Park and Ride Lot and asked if it is feasible to request VDOT to close down the site until a new location is found. She offered to contact the Governor regarding the issues at the park and ride lot.

Supervisor Tuck asked if the Mega Bus and Smartway Bus stop could be moved to a temporary location until a new location can be found? Example, Hardees parking lot.

The Board discussed issues and possible solutions regarding the park and ride; however, the choice of relocating the park and ride ultimately falls upon the Commonwealth Transportation Board. The lot is owned and maintained by VDOT and is located in the Town of Christiansburg limits.

Supervisor Tuck stated he will be addressing the Town Council of Christiansburg at their next council meeting and will be glad to address the Board's concerns regarding the park and ride lot.

The County Administrator stated he has a meeting with Rob Cary, VDOT, this week and will address the concerns voiced by citizens at the March 10th meeting and the Board of Supervisors' concerns and suggestions.

The Board supports Supervisors Biggs contacting the Governor on issues related to the park and ride lot.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, March 17, 2014 at 6:00 p.m. The meeting adjourned at 11:05 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 17TH DAY OF MARCH, 2014 AT 6:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	M. Todd King	
	Annette S. Perkins	
	Matthew R. Gabriele	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Angie Hill	-Director of Financial and Management Services
	Marc Magruder	-Budget Manager
	Ruth Richey	-Public Information Officer
	Judy W. Kiser	-Assistant to the County Administrator

CALL TO ORDER

The Chair called the special meeting to order.

INTO CLOSED MEETING

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

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 of 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. Project #2014006

The vote on the foregoing motion was as follows:

AYE	NAY
Matthew R. Gabriele	None
Mary W. Biggs	
Gary D. Creed	
M. Todd King	
Annette S. Perkins	
Christopher A. Tuck	
William H. Brown	

OUT OF CLOSED MEETING

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

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

The vote on the foregoing motion was as follows:

AYE	NAY
Annette S. Perkins	None
Mary W. Biggs	
Gary D. Creed	
M. Todd King	
Matthew R. Gabriele	
Christopher A. Tuck	
William H. Brown	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by M. Todd King and carried unanimously,

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
Mary W. Biggs
M. Todd King
Gary D. Creed
Annette S. Perkins
Christopher A. Tuck
Matthew R. Gabriele
William H. Brown

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

INTO WORK SESSION

On a motion by Christopher A. Tuck, seconded by Matthew R. Gabriele and carried unanimously,

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

1. FY 2014-2015 Budget
2. Resolution on State Budget

The vote on the foregoing resolution was as follows:

AYE	NAY
Christopher A. Tuck	None
Matthew R. Gabriele	
Annette S. Perkins	
Mary W. Biggs	
Gary D. Creed	
M. Todd King	
William H. Brown	

FY 2014-2015 Budget
The County Administrator opened the work session by explaining that the work session provides an opportunity for the Board of Supervisors to discuss thoughts, concerns, issues with the budget, and an opportunity to ask questions regarding the proposed budget.

Discussions during the work session included the master plan study for Parks and Recreation and Library facilities; requesting an update from the Commissioner of the Revenue on pro-ration of personal property taxes; capital maintenance funds; additional deputies for the Sheriff's Office; and the proposed school board budget.

Resolution on State Budget
Supervisor Chris Tuck provided copies of a draft resolution urging the Governor of Virginia and the Virginia General Assembly to pass a budget as soon as practicable, and to decouple the issue of the Medicaid Expansion under the Affordable Care Act from the budget negotiations and consider it in a separate legislative session in order to facilitate prompt passage of a state budget. He asked that the Board of Supervisors adopt the resolution once the Board comes out of Work Session. There was discussion about whether the reference to the issue of Medicaid Expansion should be included in the resolution.

OUT OF WORK SESSION

On a motion by Gary D. Creed, seconded by M. Todd King and carried unanimously,

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

The vote on the foregoing motion was as follows:

AYE	NAY
Gary D. Creed	None
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
Matthew R. Gabriele	
Christopher A. Tuck	
William H. Brown	

NEW BUSINESS

Establish an Advertised Real Estate Tax Rate and FY 2015 Budget

Supervisor Gabriele made a motion, seconded by Supervisor Biggs, to advertise a 90¢ real estate tax rate and with a corresponding increase in the budget, which is a 1¢ real estate tax increase. The vote on the motion was as follows:

AYE	NAY
Matthew R. Gabriele	Christopher A. Tuck
Mary W. Biggs	Gary D. Creed
Annette S. Perkins	M. Todd King
	William H. Brown

The motion was defeated.

R-FY-14-10
RESOLUTION ESTABLISHING AN
ADVERTISED REAL ESATE TAX RATE
AND ADVERTISED FY 2014-2015 BUDGET

On a motion by Gary D. Creed, seconded by M. Todd King and carried,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the County Administrator to advertise a Real Estate tax rate of **89** cents per $100 of assessed valuation of real estate based on 100% of fair market value.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes the County Administrator to advertise a Fiscal Year 2014-2015 Budget in the amount of **$ 171,574,710.**

The vote on the foregoing resolution was as follows:

AYE	NAY
Christopher A. Tuck	Matthew R. Gabriele
Gary D. Creed	Mary W. Biggs
Todd King	Annette S. Perkins
William H. Brown	

Supervisor Mary Biggs explained that she voted no because of so many e-mails received today and because she was asked so many times if there was going to be a public comment time when people could actually comment on the proposed tax rate to be advertised, and she feels like the Board didn't have that flexibility. Supervisor Biggs asked that her comments be included in the record.

Supervisor Annette Perkins thought more discussion was needed about where we are and where we are going, looking at some of our needs, and what we should do about schools.

Supervisor Brown agreed that Board members have received a lot of e-mails. He also received a lot of phone calls and a lot of personal contacts from the people in the district he represents. 99% of those people said "Mr. Brown, we supported you on the 2¢ that helped school capital and you said that you wouldn't vote for any tax increase the coming year". And he received a lot of negative feedback on the 12¢ when the BoS set money aside to build new schools. So he wants to keep his word to those people and that is why he voted yes for the 89¢ advertised real estate tax rate.

Resolution on State Budget

Supervisor Tuck made a motion, seconded by Supervisor King, to approve the resolution on the state budget as presented for discussion in Work Session, which includes the issue of Medicaid Expansion under the Affordable Care Act, that is should be decoupled from budget negotiations and considered in a separate legislative session to facilitate prompt passage of a state budget. The vote was as follows:

AYE	NAY
Christopher A. Tuck	Matthew R. Gabriele
Gary D. Creed	Annette S. Perkins
M. Todd King	Mary W. Biggs
	William H. Brown

Motion was defeated.

R-FY-14-111
RESOLUTION URGING THE GOVERNOR AND THE GENERAL ASSEMBLY TO ADOPT A BUDGET AS SOON AS PRACTICABLE TO ENSURE THE CONTINUED FUNCTIONING OF STATE AND LOCAL GOVERNMENTS

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously,

WHEREAS, Each year the foremost duty of the Virginia General Assembly is to pass a budget or budget amendments that serve as Virginia's financial blueprint for each fiscal year; and

WHEREAS, Virginia is consistently recognized for its sound fiscal management and budgetary practices as illustrated by its AAA bond rating and the strong bond ratings of many local government divisions throughout the Commonwealth; and

WHEREAS, Montgomery County is currently in the process of developing and adopting its budget for the upcoming fiscal year; and

WHEREAS, The Montgomery County Board of Supervisors relies on the timely passage of a budget to allocate funding to local government services, establish timely annual tax rates in order to allow the Treasurer to issue tax bills within a reasonable time but not less than 14 days prior to the due date and make policy and hiring decisions for the upcoming fiscal year; and

WHEREAS, Residents of Montgomery County depend on the county government to provide critical services such as education and public safety and welfare; and

WHEREAS, The Montgomery County School Board relies on the timely passage of the state budget in order to set its budget and make staffing decisions, which include teacher contracts; and

WHEREAS, The interruption of the provision of educational services to Montgomery County students will have a significant negative impact on students and families; and

WHEREAS, The interruption of public safety services would likely result in the loss of property, serious injury, or loss of life for Montgomery County citizens; and

WHEREAS, Critical mental health services to Montgomery County residents are provided via funds that flow from the state budget through the county; and

WHEREAS, The Virginia General Assembly adjourned *sine die* on Saturday March, 8, 2014 without adopting a budget for the two-year biennium beginning July 1, 2014.

NOW, THEREFORE BE RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors requests that the Governor of Virginia and the Virginia General Assembly are urged to pass a budget as soon as practicable to ensure the continued functioning of state and local governments; and

BE IT FURTHER RESOLVED, That the Montgomery County Board of Supervisors shall transmit copies of this resolution to the Honorable Terence R. McAuliffe, Governor of the Commonwealth of Virginia and the members of the Virginia General Assembly so that they may be apprised of the sense of the Montgomery County Board of Supervisors in this matter.

The vote on the foregoing resolution was as follows:

AYE	NAY
Matthew R. Gabriele	None
Annette S. Perkins	
Mary W. Biggs	
Todd King	
Gary D. Creed	
Christopher A. Tuck	
William H. Brown	

Upcoming Meetings

The County Administrator provided upcoming meeting dates as follows:

Adjourned Meeting
March 24, 2014
6:30 p.m. Closed Meeting Items
7:15 p.m. Regular Agenda

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

Special Meeting
Public Hearing on the Advertised Tax Rate
and Advertised FY 2015 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.

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

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, March 24, 2014 at 6:30 p.m.

The meeting adjourned at 9:00 p.m.

APPROVED: _____ ATTEST: _____

William H. Brown
Chair

F. Craig Meadows
County Administrator