

TO: The Honorable Board of Supervisors

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

DATE: June 8, 2015

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. Mountain Valley Pipeline

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, RECOGNITIONS AND AWARDS

A. Golden Halo Award

Montgomery County Sheriff Investigator Eric Snow was the recipient of the 2014 Golden Halo Award in the Law Enforcement category from the Children Trust of the Roanoke Valley Organization.

The Golden Halo Awards were created in 2008 to recognize and honor outstanding contributions to the cause of child abuse prevention, intervention and advocacy in the Roanoke Valley.

Investigator Snow has demonstrated a clear and prolonged commitment to the cause of child abuse prevention, intervention and advocacy and has shown a consistent, high degree of service to his profession.

B. Mount Tabor Ruritan Club – 50th Anniversary

Mount Tabor Ruritan Club was chartered on July 16, 1965. Mount Tabor Ruritan Club proudly celebrates 50 years of dedicated service to the Blacksburg and Montgomery County communities.

C. Virginia Department of Transportation

David Clarke, VDOT Residency Administrator, will provide an update on road issues/projects in Montgomery County.

- Big Vein Road

VIII. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the “NEW RIVER VALLEY” Section of the Roanoke Times on May 24, 2015 and May 31, 2015:

1. Ordinance Amending Chapter 8, Article III, Division 3
An Ordinance Amending Chapter 8, Entitled Planning and Development, of the Code of the County of Montgomery, Virginia Article III, by Establishing Division 3, Entitled Illicit Discharge, by adding Sections 8-90 through 8-94 making it unlawful to discharge pollutants into the County’s MS4 Regulated Stormwater Collection System. TAB A.

The following public hearing was advertised pursuant to law in the “NEW RIVER VALLEY” Section of the Roanoke Times on May 31, 2015:

2. Disposal of County Property
The former Prices Fork Elementary School Property, located at 4237 Prices Fork Road, Blacksburg, Va containing 8.3285 acres, Tax Parcel # 52-A-50, Prices Fork Magisterial District, Parcel ID# 070688.

The former Montgomery County School Board Administration Building Property, located at 200 Junkin Street, Christiansburg, Va containing approximately 1.031 acres, Tax Parcel #'s 527-12 7,8,9; 527-12 7A; 527-12 8A in the Shawsville Magisterial District, Parcel ID #'s 070677, 031579 and 200363.

Action from Public Hearings

IX. PUBLIC ADDRESS

X. ADDENDUM

XI. CONSENT AGENDA

XII. INTO WORK SESSION

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

1. Mountain Valley Pipeline

XIII. OUT OF WORK SESSION

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

1. Action Following Work Session

XIV. NEW BUSINESS

- A. SUBJECT: AMENDMENT TO THE COUNTY'S VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN - DEFINITION OF SPOUSE**

**R-FY-15-
VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN
AMENDMENT FOR DEFINITION OF SPOUSE**

WHEREAS, The Employer has established and maintains a retiree health savings plan in the form of the ICMA Retirement Corporation's VantageCare Retirement Health Savings program, as amended (the "Plan"); and

WHEREAS, The assets of the Plan are held in trust for the exclusive benefit of Plan participants and their spouses and dependents, and shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan; and

WHEREAS, The Plan has operated in accordance with federal recognition of same-sex spouse's; and

WHEREAS, An amendment to the Employer's Plan in accordance with the federal recognition of same-sex spouses is adopted to comply with Internal Revenue Service guidance issued in response to the Supreme Court's decision in United States v. Windsor.

NOW, THEREFORE BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Employer hereby amends the Plan to define the term "Spouse" as the Participant's lawful spouse as determined under the laws of the jurisdiction in which the Participant was married.

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby amends the Declaration of Trust of the Integral Part Trust and Retiree Welfare Benefits documents, as applicable, to include the federal recognition of same-sex spouses. The plan allows same-sex spouses to receive tax-free reimbursements for all same-sex marriages that are valid as of September 16, 2013, unless the employer specifies an earlier valid date.

ISSUE/PURPOSE: Update Spouse Definition in the ICMA Retirement Health Savings Plan.

JUSTIFICATION: To comply with the Federal law, Defense of Marriage Act (DOMA), the definition of spouse in ICMA’s Retirement Health Savings Account Plan changed as follows:

*ARTICLE 2.11
DEFINITION OF “SPOUSE”*

“Spouse” means the Participant’s lawful spouse as determined under the laws of jurisdiction in which the Participant was married. All other defined terms in this Plan shall have the meanings specified in the various Articles of the Plan in which they appear.

Therefore, the County needs to formally amend the plan to adopt the change in the definition. See TAB D .

**B. SUBJECT: RESOLUTION OF RECOGNITION
MONTGOMERY COUNTY
SESQUICENTENNIAL COMMITTEE
LEADERSHIP AWARD**

**R-FY-15-
RESOLUTION OF RECOGNITION
MONTGOMERY COUNTY SESQUICENTENNIAL
COMMITTEE LEADERSHIP AWARD**

WHEREAS, In 2006 the Virginia General Assembly created the Virginia Sesquicentennial of the American Civil War Commission to prepare for and commemorate the sesquicentennial of Virginia's participation in the American Civil War; and

WHEREAS, Localities throughout Virginia formed sesquicentennial committees to participate in this historic commemoration by planning events and activities that draw attention to local Civil War and emancipation history and draw visitors to local historical attractions; and

WHEREAS, The efforts of the Montgomery County Sesquicentennial Committee brought to Montgomery County the Civil War History Mobile; applied for and received grants to install five Civil War Trails markers in the New River-2 in Blacksburg Westview Cemetery & Smithfield, 1 in Radford at Glencoe, 1 in Dublin at Cleburne's Wayside, and 1 in downtown Christiansburg; reclaimed many graveyards in the county that contains Civil War veterans and actual battle deaths; hosted many lectures; living history camps; documentaries; archiving events; plays; genealogy workshops; bus/van trips and assisted Pulaski County with the 150th of the Battle of Cloyd's Mountain; and

WHEREAS, On May 25, 2015 the Virginia Sesquicentennial of the American Civil War Commission gathered at the State Capitol Building in Richmond to honor local committees and institutions instrumental in the success of the events over the past six years; and

WHEREAS, The Montgomery County Sesquicentennial Committee was presented a Commendation and a Sesquicentennial Leadership Award for planning events and activities over the past six years that drew attention to local Civil War and emancipation history.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors desires to recognize and congratulate the Montgomery County Sesquicentennial Committee for their hard work and dedication in actively contributing to the success of the 150th Anniversary of the Civil War.

ISSUE/PURPOSE: Resolution acknowledging and congratulating the Montgomery County Sesquicentennial Committee for receiving a Commendation and Leadership Award from the Virginia Sesquicentennial of the American Civil War Commission.

JUSTIFICATION: This resolution is listed on the agenda at the request of the Tourism Director.

XV. COUNTY ATTORNEY'S REPORT

XVI. COUNTY ADMINISTRATOR'S REPORT

1. Speed Limit Reduction Request – Riner Road (Rt. 8) in front of the Auburn Hills Golf Club.

XVII. BOARD MEMBERS' REPORT

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

XVIII. OTHER BUSINESS

XIX. ADJOURNMENT

FUTURE MEETINGS

Adjourned Meeting
Monday, June 22, 2015
6:00 p.m. – Closed Meeting Items
7:15 Regular Agenda

Special Joint Meeting with
Montgomery County School Board
Monday, June 29, 2015
Time: TBD

Regular Meeting
Monday, July 13, 2015
6:00 p.m. – Closed Meeting Items
7:15 Regular Agenda