

TO: The Honorable Board of Supervisors

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

DATE: April 13, 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. Aeroprobe
2. Backcountry.com

(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. Economic Development Authority
2. Library Board
3. NRV Emergency Communications Regional Authority

(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. Former Blacksburg Middle 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. PRESENTATIONS, RECOGNITIONS, AND AWARDS

A. National Child Abuse Prevention Month – April 2015

Cord Hall will make a presentation on the National Child Abuse Prevention Month.

B. Virginia Department of Transportation

David Clarke will provide an update on road issues/projects in Montgomery County.

1. Action following Presentations, Recognitions and Awards

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 4/5, 4/9, 4/12, 2015 and in the News Messenger on 4/4, 4/8, 4/11, 2015

The Virginia Department of Transportation and the Board of Supervisors of Montgomery County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing as follows:

The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015/2016 through 2020/21 in Montgomery County, and on the Secondary System Construction Budget for Fiscal Year 2015/16. All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds. See TAB **A** for a copy of the draft plan.

1. Action following Public Hearing

IX. PUBLIC ADDRESS

1. Action following 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. FY 2016 Budget.
2. Eliminate Split Voting Precincts in Montgomery County. (TAB **E**)
3. MCPS Request for Capital Funds. (TAB **F**)

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: FOURTH AMENDMENT TO THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE AND SALES AGREEMENT

**R-FY-15-
RESOLUTION AUTHORIZING APPROVAL OF THE FOURTH AMENDMENT TO THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE AND SALES AGREEMENT EXTENDING THE REVIEW PERIOD AND ESTABLISHING HOW THE PARTIES WILL SHARE IN FUNDING ROAD IMPROVEMENTS**

WHEREAS, Taylor Hollow Management, LLC and the Montgomery County Board of Supervisors executed and entered into a Real Estate Purchase and Sale Agreement (“the Agreement”) to sell the former Prices Fork Elementary Property (“the Property”) located along Prices Fork Road; and

WHEREAS, The parties have executed and entered into three previous amendments to the Agreement extending the review period; and

WHEREAS, Both the Purchaser and Seller desire to enter into a Fourth Amendment by agreeing on how the parties will share in funding the required road improvements to Prices Fork Road and by amending Section 7.1 of the Agreement extending the review period to June 1, 2015, at 5:00 p.m. EST in order to provide additional time for the parties to sort out what will be required by VDOT to redevelop the Property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Fourth Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement extending the review period to June 1, 2015, at 5:00 p.m. EST in order to provide additional time to finalize with VDOT what the required road improvements to Prices Fork Road will be to redevelop the Property and to establish how the parties intend to share in the funding of these road improvements.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes

the Board Chair, William H. Brown, to sign the Fourth Amendment on behalf of the Board of Supervisors.

ISSUE/PURPOSE: Approve the fourth amendment to the former Prices Fork Elementary School Real Estate and Sales Agreement.

JUSTIFICATION: Extension of the review period is desired in order to provide additional time to finalize with VDOT what the required road improvements to Prices Fork Road will be to redevelop the Property and to establish how the parties intend to share in the funding of these road improvements. See TAB G for a copy of the Fourth Amendment.

B. SUBJECT: APPOINTMENT - ALCOHOL SAFETY ACTION PROGRAM (ASAP)

**R-FY-15-
ALCOHOL SAFETY ACTION PROGRAM (ASAP)
APPOINTMENT**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints **Mary Pettitt** to the Alcohol Safety Action Program (New River Valley) effective May 1, 2015 and expiring April 30, 2016.

ISSUE/PURPOSE: Reappoint the Commonwealth’s Attorney to the Alcohol Safety Action Program (ASAP).

JUSTIFICATION: See TAB H for a copy of an e-mail from Mary Pettitt saying she wishes to be reappointed.

C. SUBJECT: PROCLAMATION – NATIONAL LIBRARY WEEK

**R-FY-15-
PROCLAMATION
NATIONAL LIBRARY WEEK
APRIL 12-18, 2015**

WHEREAS, Libraries create potential and possibilities within their communities, campuses and schools; and

WHEREAS, Libraries level the playing field for all who seek information and access to technologies; and

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

WHEREAS, Libraries and librarians open up a world of possibilities through innovative STEAM programing, Makerspaces, job-seeking resources and the power of reading; and

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

WHEREAS, Libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

WHEREAS, Libraries, including our libraries here in Montgomery County, librarians, library workers and supporters across America are celebrating *National Library Week*.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County Virginia do hereby proclaim *National Library Week, April 12-18, 2015* 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 12-18, 2015 as National Library Week.

D. SUBJECT: PROCLAMATION – NATIONAL VOLUNTEER WEEK

**R-FY-15-
PROCLAMATION
NATIONAL VOLUNTEER WEEK
APRIL 12-18, 2015**

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 12-18, 2015* 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 12-18, 2015 as National Volunteer Week.

E. SUBJECT: PROCLAIM MAY 2015 AS OLDER AMERICANS MONTH

**R-FY-15-
PROCLAIM MAY 2015 AS
OLDER AMERICANS MONTH**

WHEREAS, Montgomery County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, Montgomery County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

WHEREAS, Since 1965 the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing

medical and health care systems, helping prevent hospital readmissions, and supporting some of life's most basic functions, such as bathing or preparing meals; and

WHEREAS, These programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults, and adapt services to the needs of Native American elders; and

WHEREAS, We recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

WHEREAS, Our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home-and-community-based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors does hereby proclaim *May 2015* to be *Older Americans Month*, and urge every citizen to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

ISSUE/PURPOSE: Proclaim May 2015 as Older Americans Month.

JUSTIFICATION: The above resolution is listed at the request of New River Valley Agency on Aging's Executive Director.

F. SUBJECT: PROCLAIM MAY 2-10, 2015 AS NATIONAL TRAVEL AND TOURISM WEEK

**R-FY-15-
PROCLAIM MAY 2-10, 2015 AS NATIONAL
TRAVEL AND TOURISM WEEK**

WHEREAS, Travel has a positive effect on Virginia and the nation's economic prosperity and image abroad, it also impacts business productivity and to individual travelers' well-being; and

WHEREAS, Travel to and within the United States provides significant economic benefits for the nation, generating more than \$2.1 trillion in economic output in 2014, with \$927.9 billion spent directly by travelers; and

WHEREAS, Travel is among the largest private-sector employers in the United States, supporting 15 million jobs in 2014, including 8 million directly in the travel industry and 7 million in other industries; and

WHEREAS, Travelers' spending directly generated tax revenues of \$141.5 billion for federal, state and local governments, funds used to support essential services and programs; and

WHEREAS, The Virginia Tourism Corporation reported that travelers' spending in Montgomery County, Virginia in 2013 (the most recent full year report), reached \$132.6 million generating combined state and local tax revenues of \$7.9 million and producing 1320 local tourism-supported jobs; and

WHEREAS, International travel to the United States is the nation's No. 1 services export; in 2014 travel generated \$220.6 billion in exports, creating a \$74 billion trade surplus for the United States; and

WHEREAS, Meetings, events and incentive travel are core business functions that help companies strengthen business performance, educate employees and customers and reward business accomplishments – which in turn boosts economy; and

WHEREAS, Leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity and relationships; and

WHEREAS, Travel is a pillar of economic growth, creating jobs at a faster rate than other sectors.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby proclaim **May 2-10, 2015** as **National Travel and Tourism Week in Montgomery County** and urges the citizens of Montgomery County to join in this special observance with appropriate events and commemorations.

ISSUE/PURPOSE: Declare May 2-10, 2015 as National Travel and Tourism Week.

JUSTIFICATION: Locally, a Montgomery County "FAM" (familiarization) Tour is scheduled for May 7th. The event includes a tour of pre-designated attractions throughout Montgomery County and the Towns of Blacksburg and Christiansburg along with a lunch, local folklore speaker, and exhibitors sharing information about their attractions. It is targeted to those who routinely interact with visitors in our area. The event will be limited to the first 50 registrants for this first year. Hopefully, this will

become an annual event to be held during National Travel and Tourism Week.

XV. COUNTY ATTORNEY'S REPORT

XVI. COUNTY ADMINISTRATOR'S REPORT

XVII. BOARD MEMBERS' REPORT

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

XVIII. OTHER BUSINESS

XIX. ADJOURNMENT

FUTURE MEETINGS

Special Meeting
Monday, April 20, 2015
7:15 p.m.

Adjourned Meeting
Monday, April 27, 2015
6:00 p.m. – Closed Meeting Items
7:15 Regular Agenda

Regular Meeting
Monday, May 11, 2015
6:00 p.m. – Closed Meeting Items
7:15 Regular Agenda

Adjourned Meeting
Tuesday, May 26, 2015
6:00 p.m. – Closed Meeting Items
7:15 Regular Agenda