

TO: The Honorable Board of Supervisors
FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator
DATE: January 10, 2011
SUBJECT: **AGENDA REPORT**

I. CALL TO ORDER

II. ELECTION OF CHAIR

A. SUBJECT: ELECTION OF CHAIR

**R-FY-11-
ELECTION OF CHAIR
CALENDAR YEAR 2011**

BE IT RESOLVED, That _____ be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2011 or until a successor is elected.

ISSUE/PURPOSE: The first item of business for the Board each calendar year is to elect a Chair. See TAB **A** for procedures.

III. ELECTION OF VICE-CHAIR

A. SUBJECT: ELECTION OF VICE-CHAIR

**R-FY-11
ELECTION OF VICE CHAIR
CALENDAR YEAR 2011**

BE IT RESOLVED, That _____ be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2011 or until a successor is elected.

ISSUE/PURPOSE: The Vice Chair is elected and term of office established by the same process as the Chair. See TAB **B** for procedures.

IV. 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. Project # 2010-007

- (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. Joinder Study with the Blacksburg, Christiansburg, VPI Water Authority

- (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 Zoning Appeals (BZA)
2. Economic Development Authority

V. OUT OF CLOSED MEETING

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

VI. 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

VII. INVOCATION

VIII. PLEDGE OF ALLEGIANCE

IX. ORGANIZATIONAL MATTERS

A. SUBJECT: SELECTION OF REGULAR MEETING DATES

**R-FY-11
SELECTION OF REGULAR MEETING DATE**

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2011 shall be the 2nd and 4th Monday of each month. The closed session portion of the meeting shall begin at 6:00 p.m., if closed session is

required, or at a time prior to or after 6:00 p.m. as notified by the County Administrator, otherwise the meeting shall begin at 7:15 p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

BE IT FURTHER RESOLVED, That should the Chairman declare that the weather or other conditions are such that it is hazardous for members to attend the regular meeting, the regular meeting shall be continued to the following Monday. The continuance of the regular meeting shall be communicated to the members and the press as promptly as possible.

ISSUE/PURPOSE:

The Board is required to assemble at an office building owned by the County or such other public place as the governing body may prescribe at regular session not less than once each month. The Montgomery County Code enables the day(s) and time to be prescribed by resolution of the Board.

Currently, meeting dates are the 2nd and 4th Monday of each month beginning at 6:00 p.m., if closed session is required, otherwise the meetings begin at 7:15 p.m. at the Montgomery County Government Center.

Currently, should the Chairman declare that weather or other conditions are such that it is hazardous for members to attend meetings, regular meeting is continued to the following Monday.

B. SUBJECT: RULES OF ORDER AND PARLIAMENTARY PROCEDURES

**R-FY-11
RULES OF ORDER AND
PARLIAMENTARY PROCEDURES**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2011.

SEE TAB C for a copy of the Rules of Order and Parliamentary Procedures.

ISSUE/PURPOSE: Establish Rules of Order and Parliamentary Procedures for the Board of Supervisors.

C. SUBJECT: CODE OF ETHICS AND STANDARDS OF CONDUCT

**R-FY-11
CODE OF ETHICS AND
STANDARDS OF CONDUCT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2011.

SEE TAB D for a copy of the Code of Ethics and Standards of Conduct.

ISSUE/PURPOSE: Re-adopt the Code of Ethics and Standards of Conduct for the Board of Supervisors.

X. DELEGATION

A. SUBJECT: VIRGINIA DEPARTMENT OF TRANSPORTATION

Virginia Department of Transportation

David Clarke, VDOT Residency Administrator, will update the Board of Supervisors on road issues/concerns in Montgomery County.

XI. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the Current Section of the Roanoke Times on December 26, 2010 and January 2, 2011:

1. Fiscal Year 2011-2012 County Budget
The purpose of this public hearing is to gather citizen comments on the upcoming 2011-2012 fiscal year budget.

XII. PUBLIC ADDRESS

XIII. ADDENDUM

XIV. CONSENT AGENDA

XV. NEW BUSINESS

A. SUBJECT: AMENDMENT TO THE AGREEMENT WITH THE NEW RIVER LAND TRUST

**R-FY-11-
AMENDMENT TO THE AGREEMENT BY AND
BETWEEN MONTGOMERY COUNTY AND
NEW RIVER LAND TRUST FOR THE ESTABLISHMENT
OF A REVOLVING LOAN FUND TO COVER CERTAIN ADMINISTRATIVE COSTS
INCURRED IN ESTABLISHING CONSERVATION AND OPEN SPACE EASEMENTS**

BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby approves the amendment to the Agreement by and between Montgomery County and the New River Land Trust for the establishment of a Revolving Loan Fund to cover certain administrative costs incurred in establishing Conservation and Open Space Easements.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Board hereby authorizes the Chair of the Board of Supervisors to sign the Agreement on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: To amend the Agreement with the New River Land Trust.

JUSTIFICATION: The New River Land Trust assists landowners in placing conservation and open space easements on their property. In January 2005, the County entered into an agreement with the New River Land Trust by providing funding from the roll-back taxes to assist with the up-front costs in placing a conservation easement on a property. This resolution amends the Agreement by:

- 1. Clarifying the income eligibility for the program is based on 150% of the maximum limit of the Tax Relief for the Elderly & Disabled Program;
- 2. Changing the requirement for the audit submission from annually to every two years; and
- 3. Clarifying that upon termination of the Agreement all monies remaining or due to the fund will be reimbursed to the County.

See **TAB H** for a copy of the Amendment.

**B. SUBJECT: BOARD OF SUPERVISORS
APPOINTMENTS TO BOARDS
AND COMMISSIONS FOR 2011**

**R-FY-11-
BOARD OF SUPERVISORS
APPOINTMENTS TO BOARDS
AND COMMISSIONS FOR 2011**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2011 and expiring December 31, 2011

Board/Commission

Supervisor

AFD Advisory Board

Chamber of Commerce Liaison	_____ (Chair) _____ (Vice-Chair)
County/School Liaison	<u>F. Craig Meadows</u> (County Administrator) _____ (Chair)
Economic Development Alliance (NRV)	<u>F. Craig Meadows</u> (County Administrator) _____ (Chair)
Economic Development Commission (Montgomery Regional)	_____
Fairview District Home Board	_____
Fairview Home, Inc. Board of Directors	<u>L. Carol Edmonds</u> (County Admin/Designee)
HOME Consortium (NRV)	<u>Steve Sandy</u> (Planning Director)
Legislative Liaison	_____
Library Board Liaison	_____
Metropolitan Planning Organization (MPO)	_____ (Board Member) _____ (Alternate) <u>F. Craig Meadows</u> (County Administrator)
Montgomery County Improvement Council (MCIC)	_____
Parks & Recreation Commission Liaison	_____
Planning Commission Liaison	_____ _____ (Alternate)
Resource Conservation & Development District (RC&D)	_____ _____ (Alternate)
Road Viewers Board	<u>All Board Members</u>
School Board Liaison	_____ _____ (Alternate)

Transportation Safety Commission _____

Tourism Development Council _____

Virginia Tech Liaison F. Craig Meadows (County Administrator)

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

JUSTIFICATION: See TAB I for a copy of last year appointments.

All boards/commissions listed above are annual appointments. **Any boards/commissions not listed in the above resolution are not annual appointments.** Community Services Board, Fire and Rescue Commission, MBC Development Corporation, and Planning District Commission are 3-year appointments. Pepper’s Ferry Regional Wastewater Treatment Authority, Social Services Board, Virginia’s First Regional Industrial Facility Authority, and Virginia Tech/Montgomery Regional Airport Authority are 4-year appointments.

XVI. COUNTY ATTORNEY’S REPORT

XVII. COUNTY ADMINISTRATOR’S REPORT

XVIII. BOARD MEMBERS' REPORT

1. Supervisor Biggs
2. Supervisor Muffo
3. Supervisor Creed
4. Supervisor Brown
5. Supervisor Marris
6. Supervisor Politis
7. Supervisor Perkins

XIX. OTHER BUSINESS

XX. ADJOURNMENT

FUTURE MEETINGS

Adjourned Meeting
Monday, January 24, 2011
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Regular Meeting
Monday, February 14, 2011
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda