

TO: The Honorable Board of Supervisors

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

DATE: May 9, 2011

**SUBJECT: AGENDA REPORT**

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**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 (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. Adjustment and Appeals Board
2. Board of Zoning Appeals
3. Community Services Board
4. Library Board
5. NRV Planning District Commission
6. Transportation Safety Commission
7. Workforce Investment Board Youth Council

**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. DELEGATIONS**

**A. SUBJECT: NEW MONTGOMERY COUNTY  
COURTHOUSE UPDATE**

**Montgomery County Courthouse – Construction Update**

Ron Riquelmy, Project Manager with [ARCADIS, US, Inc.](#), will update the Board of Supervisors on the construction progress of the new courthouse.

**B. SUBJECT: NEW RIVER COMMUNITY ACTION**

**New River Community Action**

Dr. Marquita Hill, NRCA Board of Directors, will present information regarding New River Community Action.

**C. SUBJECT: NEW RIVER SUSTAINABLE COMMUNITIES**

**New River Valley Sustainable Communities Grant Project**

Kevin Byrd, New River Valley Planning District Commission Executive Director, will make a presentation on the New River Valley Sustainable Communities Grant Project.

**VIII. PUBLIC ADDRESS**

**IX. ADDENDUM**

**X. CONSENT AGENDA**

**XI. INTO WORK SESSION**

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

1. Old Blacksburg Middle School Master Plan Update

**XII. OUT OF WORK SESSION**

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

**XIII. OLD BUSINESS**

**A. SUBJECT: REZONING - HUCKLEBERRY RIDGE, LLC**

**ORD-FY-11-**

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 48 ACRES FROM AGRICULTURAL (A-1) TO RESIDENTIAL MULTI-FAMILY (RM-1) AND APPROXIMATELY 15 ACRES FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-3) IN THE PRICES FORK MAGISTERIAL DISTRICT LOCATED SOUTHEAST OF THE INTERSECTION OF MERRIMAC RD. (RT. 657) AND IDENTIFIED AS TAX PARCEL NO(S) 067-A-42, 66-A-91, 92, & 67-A-229 (ACCT NO(S)# 010583, 010584, 010585, & 035616)  
HUCKLEBERRY RIDGE, LLC**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirements for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 48 acres from Agriculture (A-1) to Residential Multi-Family (RM-1), to allow 388 multi-family residential dwellings and approximately 15 acres from Agriculture (A-1) to Residential (R-3), to allow 40 lots for single/two-family residential dwelling units. This approval is made subject to the following proffered conditions offered in writing by the property owner and agent:

**1. Code of Development and Conceptual Master Plan**

The Property will be developed substantially in accordance with the Code of Development prepared for Bluestone Land, L.L.C., dated 4/21/2011 and the Conceptual Master Plan prepared by Gay & Neel, dated 4/1/2011(the "Conceptual Master Plan").

**2. Number of Units**

No more than 388 multi-family dwellings (apartments/condominiums) shall be constructed in the RM-1 District. No more than 40 single-family detached dwelling units, or 80 two-family attached dwelling units, or any combination of single-family and two-family dwellings shall be constructed in the R-3 District. The exteriors of the apartment buildings constructed in Phase I of the RM-1 District shall be generally in conformance with the elevations demonstrated in the rendering entitled "Huckleberry Ridge Rendering" dated 4/1/2011.

**3. Phasing**

The Property will be developed in three Phases. Phase I will consist of 248 multi-family dwelling units, and include a community building and pool (RM-1). Construction on Phase I is anticipated to begin Spring 2012. Phases II and III shall be constructed according to market conditions.

**4. Roads**

Public streets will be designed and constructed to VDOT's Subdivision Street Standards, latest edition. The proposed entrances will be constructed in accordance with the Recommendations in the Traffic Impact Analysis by Anderson & Associates, Inc. dated 1/26/11, revised 3/14/11 to allow for future widening of the existing road. Private streets and parking areas will be constructed of 8" of 21A base stone and 2" of SM2A asphalt and maintained by the Owner. Secondary gated emergency access to Phase I shall be provided via construction of that portion of Road "A" as depicted on the Conceptual Master Plan by Gay and Neel dated 4/1/11. All improvements shall be at the sole expense of the developer.

**5. Storm water**

Stormwater management practices will be designed to detain the post development peak flow rate to the predevelopment peak flow rates for the 10 year and 2 year storm events as required by state Erosion and Sediment Control Law. Stormwater quality will be in accordance with the regulations in effect at the time of rezoning and the developer will obtain a VSMP permit for construction.

**6. Open Space and Amenities**

A minimum of 25(twenty-five) percent, 15.75 acres+-, of the total gross area of the Property shall be reserved as common open space and/or recreational areas as shown on the Conceptual Master Plan. Furthermore, each individual phase shall meet the minimum open space requirements of the zoning district. Active recreation amenities shall include, but are not limited to walking/hiking trails, community building w/ pool, playground, and retention pond.

**7. Trails**

The Property will include a walking/nature trail system traversing portions of the dedicated open space as shown on the Conceptual Master Plan. The trail system will connect to the Huckleberry Trail. The foot trails within the open space will be constructed in conjunction with the phase that is the most geographically adjacent to the proposed trail. Trails will be six (6) feet wide, constructed with a minimum 1 ½” asphalt on top of 4” base stone.

Prior to the issuance of the first certificate of occupancy, the developer shall install additional signage at the Huckleberry Trail’s crossing with Hightop Road and Merrimac Road per the attached figure from the AASHTO Guide for the development of bicycle facilities. The signage will be in accordance with the MUTCD standards, Millennium Edition.

Prior to the issuance of the first certificate of occupancy, the developer shall perform clearing in the areas indicated on the attached sketches in order to increase the sight distance for Huckleberry Trail users crossing Merrimac and Hightop Roads and submitted with this proffer statement as Attachments B1-B6 dated 4/13/2011.

Signage and clearing of vegetation on the Huckleberry Trail will be performed in consultation with VDOT, Montgomery County Parks and Recreation, and Friends of the Huckleberry.

**8. Homeowner's Association**

A homeowner's association or associations will be formed for R-3 district. The association or associations' documents will at a minimum address: maintenance of open areas, alleys, buffers, trails, active recreation spaces, and stormwater management facilities; enforcement of

maintenance and all regulations set forth in the association documents, including architectural guidelines and the Code of Development.

**9. Water and Sanitary Sewer Service**

Huckleberry Ridge, LLC shall construct all water and sanitary sewer mains and appurtenances and will connect these mains to publicly owned mains. All mains and appurtenances will be dedicated to public use. The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available. There is a limited amount of water and sewer capacity available for development in the area before infrastructure improvements are needed to increase capacity. The applicant may be responsible for bearing the cost of any necessary utility infrastructure improvements needed by the PSA both on site and off site to accommodate the requested capacity based on the proposed use for the Property. Building 800 will only be constructed after a successful secondary water boundary amendment is achieved. Shall an amendment not be reached, Building 800 and associated required parking, will not be constructed.

**10. Landscaping**

Huckleberry Ridge, LLC will preserve existing vegetation to the greatest extent possible. Extensive landscaping such as buffers and street trees will be provided as part of proposed development. A Type 2 Landscape Buffer shall be provided between Merrimac Road and the proposed multi-family dwelling area. Existing vegetation can be credited towards the buffer requirements. Buffer shall not impede sight distance at the proposed entrance.

The subject parcels are located south east of the intersection of Merrimac Road (Rte.657) and Hightop Road (Rte. 808) and is identified as Tax Parcel Nos. 067-A-42, 66-A-91, 92, & 67-A-229 (Acct # 010583, 010584, 010585, & 035616) in the Prices Fork Magisterial District (District E).

The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan with a proposed gross density of four (4) dwelling units per acre.

This action was commenced upon the application of Huckleberry Ridge, LLC (Agent: Bluestone Land, LLC).

This ordinance shall take effect upon adoption.

JUSTIFICATION: At their April 13, 2011 meeting the Planning Commission recommended approval of the rezoning request ( 7-0, Wells abstained, Haynes absent).

**B. SUBJECT: SPECIAL USE PERMIT – CHAD AND LISA VAUGHT –TELECOMMUNICATIONS TOWER**

**R-FY-11-  
SPECIAL USE PERMIT  
CHAD LYN AND LISA LYNN VAUGHT  
(AGENT: RICHARD ROSENFELD)  
FOR THE PURPOSE OF ALLOWING A  
100 FT. TELECOMMUNICATIONS TOWER  
IN THE PRICES FORK MAGISTERIAL DISTRICT (DISTRICT F)  
PARCEL ID 020041, TAX MAP NUMBER 27-A-49**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the request by Chad Lyn and Lisa Lynn Vaught (Agent: Rich Rosenfeld) for a Special Use Permit to allow a 100 ft. telecommunications tower is consistent with the County’s Comprehensive Plan and is hereby **approved** with the following conditions:

1. Tower shall not exceed a total overall height of 100 feet inclusive of the proposed lightening rod. Tower shall not have lighting unless required by the FAA.
2. Site development shall be in substantial conformance with the plans entitled, “Site Name: US 460 and SR778, Site No: R0500G” prepared by BC Architects & Engineers revised March 3, 2011. Additionally, the tower shall be setback to comply with section 10-22(6)(b) of the Montgomery County Code, which requires a minimum setback of 100 feet from all property lines. The landscaping at the base of the tower shall comply with page L-1 of the concept plans and shall comply with section 10-43 of the Montgomery County Code, and be completed within 60 days of the issuance of the zoning permit.
3. AT&T shall access the site using the existing entrance off of Pandapas Pond Rd (Route 460) through the existing mobile home park. Any change in access to the site shall require further review by VDOT.
4. Tower shall be of a “monopole stealth design” and all antennae shall be flush mounted (distance between face of tower and outer face of antennas not to exceed 12 inches) on the structure. Tower, antennas, and all associated

ground equipment shall be painted brown (Umbra). All wiring and cables shall be located inside the tower structure.

5. All trees on the property (within 50 feet of the proposed lease area) shall be maintained and not removed except for damaged or diseased trees.
6. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to issuance of a building permit.
7. No platforms or dishes shall be permitted on the structure above the tree line.
8. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.
9. Backup generator, if applicable, shall not be fueled by any liquid fuel source.
10. Owner/agent shall provide police, fire and rescue services antennae space on the proposed tower for the agreed upon rental rate of \$1 per year subject to the structural capacity of the tower and provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower. Emergency service providers shall provide equipment. Tower owner/agent shall install the antennae at market rate.
11. The second highest space on the tower shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) days notice by Certified Mail of their intent to occupy this location.
12. The proposed 20' x 50' (1000 sq. ft.) lease area shall be surrounded with a nine foot (9) high chain link fence with rubberized coating and landscaping, as shown on page L-1 of the concept plans to screen the base of the tower and ground equipment.
13. The Tower shall be engineered to have a fall radius ("fall zone") not to exceed 45 feet. The fall zone shall be shown on the final site plan.

The property is located at 3153 Pandapas Pond Road (Route 460) and is identified as Tax Parcel No. 27-A-49 (Acct #020041) in the Prices Fork Magisterial District (District F). The property currently lies in an area designated as Residential Transition in the 2025 Comprehensive Plan.

This action was commenced upon the application of Chad Lyn and Lisa Lynn Vaught (Agent: Richard Rosenfeld).

This resolution shall take effect upon adoption.

JUSTIFICATION: At their April 13, 2011 meeting, the Planning Commission recommended approval of the special use permit (6-2 vote, Seitz and Wells opposed).

#### **XIV. NEW BUSINESS**

**A. SUBJECT: FY 2012-2017 SIX-YEAR ROAD IMPROVEMENT PLAN FOR INTERSTATE AND PRIMARY ROADS**

**R-FY-11-  
FY 2012-2017 SIX-YEAR ROAD IMPROVEMENT  
PLAN FOR INTERSTATE AND PRIMARY ROADS**

WHEREAS, Representatives of the Board of Supervisors of Montgomery County, Virginia have attended the Commonwealth Transportation Board's Preallocation hearings for a number of years to express grave concerns relative to conditions on Virginia Route 114 in Montgomery and Pulaski Counties, a major transportation artery serving as an east-west connector through the New River Valley which provides a vital link for daily work-related commuting for thousands of citizens, and the only primary highway serving the Radford Army Ammunition Plant; and

WHEREAS, The residents who live along Route 114 and in the surrounding area have presented petitions with 393 signatures to the Board of Supervisors requesting that the safety of this road be enhanced, including turn lanes and widening of the road; and

WHEREAS, The Board of Supervisors has also expressed concern relative to conditions on Virginia Route 8 in Montgomery and Floyd Counties; and

WHEREAS, Route 8 is a high traffic road with high population growth along its corridor, and provides the only access to Floyd County from Interstate 81 at Christiansburg; and

WHEREAS, At the Exit 114 interchange on I-81 at Route 8, traffic exiting I-81 both north and southbound backs up significantly on the ramps and often approaches the travel lanes of I-81; and

WHEREAS, The Park and Ride Lot at I-81 Exit 118 has reached its capacity due to the increased use of the SmartWay bus, the Megabus, and ride sharing, generating the need for additional parking; and

WHEREAS, The above routes and parking lot have been identified as critically needed projects in order to improve the capacity, condition and efficiency of our regional transportation system.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia (“The Board”) emphasizes its continued desire for completion of the above projects and expresses its sincere appreciation to the Commonwealth Transportation Board for recognizing and considering the Board of Supervisors’ comments to the aforementioned projects.

FURTHER, The Board of Supervisors wishes to thank the Commonwealth Transportation Board for the Route 114 New River bridge replacement project that is under construction, reinstatement of the Virginia Route 8 intersection with Fairview Church Road (SR 669) traffic light and turn lane improvements project, and for the inclusion of the Route 460 Interchange near Southgate Drive that is scheduled for construction in 2013.

FURTHER, The Board **opposes** the Dublin-Blacksburg connector (NRV Link) and reaffirms that the Dublin-Blacksburg connector (NRV Link) is not a priority for Montgomery County.

FURTHER, The Board requests the upgrade of Virginia Route 114 in Montgomery County; this project was previously in the Six-Year Plan and was removed due to funding and it is requested that this project be returned to the Six-Year Road Improvement Plan.

FURTHER, The Board requests the Commonwealth Transportation Board consider necessary upgrades to improve the safety on U.S. Route 8 from the southern corporation limits in the town of Christiansburg through Montgomery County to the Floyd County line including, but not limited to, bringing the two lanes up to standard width, straightening the numerous dangerous curves and adding shoulders for disabled vehicles to pull onto.

FURTHER, The Board requests the Commonwealth Transportation Board consider necessary upgrades to improve the safety at the Exit 114 interchange on I-81 at Route 8 for traffic exiting I-81 on both north and south exit ramps.

FURTHER, The Board requests the Commonwealth Transportation Board consider necessary upgrades to improve the Park and Ride Lot at I-81 Exit 118 by utilizing the existing right-of-way to provide for a moderate expansion of the lot to provide additional parking spaces.

ISSUE/PURPOSE: Resolution approving Montgomery County’s priorities for the Interstate and Primary Roads in Montgomery County.

JUSTIFICATION: The Commonwealth Transportation Board (CTB) will conduct a public hearing on Thursday, **May 12, 2011 at 6:00 p.m.** at VDoT's Salem District Auditorium, 731 Harrison Avenue in Salem on their projects and programs to be included in their FY 2012-2017 Six-Year Road Improvement Plan for Interstate and Primary Highways. See TAB **A** for a copy of the letter from Richard Caywood, VDoT's District Administrator, and the public hearing schedule.

**B. SUBJECT: SHERIFF – REGIONAL JAIL  
SUPPLEMENTAL APPROPRIATION**

**A-FY-11-  
SHERIFF  
WESTERN VIRGINIA REGIONAL JAIL  
SUPPLEMENTAL APPROPRIATION**

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, 2011, for the function and in the amount as follows:

320 Sheriff – County	\$350,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
451203 Undesignated Fund Balance	\$350,000

Said resolution appropriates additional local funding to cover operating costs of the Western Virginia Regional Jail.

ISSUE/PURPOSE: Supplemental appropriation.

JUSTIFICATION: This resolution appropriates \$350,000 in additional local funds to cover the County's projected costs associated with the Western Virginia Regional Jail based on inmate population for the balance of FY 11. The County's original budget provides funding to cover approximately 134 inmates. Currently, the County is housing 175 inmates at the regional jail,

with average monthly operating expenses of \$160,000. Total operating expenditures for FY 11 are estimated at \$2,537,793. The current expenditure budget is \$2,187,793. Additional funding is needed to cover the county's projected usage through year-end.

**C. SUBJECT: REGISTRAR - TRANSFER FROM GENERAL CONTINGENCIES (BALANCE IN GENERAL CONTINGENCIES BEFORE APPROVAL OF THIS RESOLUTION IS \$263,689)**

**A-FY-11-  
REGISTRAR  
TRANSFER FROM GENERAL CONTINGENCIES**

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 (\$4,500)

**TO:**

170 Registrar \$4,500

Said resolution transfers funds from General Contingencies to the Registrar for costs associated with hiring two part-time personnel.

**ISSUE/PURPOSE:** Transfer of General Contingencies.

**JUSTIFICATION:** The Registrar's Office has one FTE that has been held vacant due to the County's hiring freeze. The Registrar requested that this position be filled. The freeze committee recommended and the County Administrator approved two part-time (0.5 FTE - 20 hours per week) assistant registrar positions. This appropriation will provide the funding necessary to cover anticipated costs for these positions throughout the remainder of FY 11 (1.5 months). An additional appropriation will be needed after July 1 to cover the cost of a full year for both of these positions, as this funding was not included in the FY 12 Approved Budget.

**D. SUBJECT: PROCLAIM MAY 2011 AS OLDER AMERICANS MONTH**

**R-FY-11-  
PROCLAMATION  
OLDER AMERICANS MONTH  
MAY 2011**

**WHEREAS**, Montgomery County is a community that includes numerous citizens aged 60 and older; and

**WHEREAS**, The older adults in Montgomery County are the roots from which our community grows, who bestow gifts of wisdom and insight upon younger generations, and strengthen the bonds between neighbors to create a better place to live; and

**WHEREAS**, Our society can be enhanced by older adults aging peacefully in their communities; and

**WHEREAS**, The older adults in Montgomery County should be commended for their role in creating and bolstering the fiber of our community and our nation; and

**WHEREAS**, Our community can provide that recognition and respect by enriching the quality of life for older Americans by:

*-Increasing their opportunities to remain in their communities as active and engaged citizens;*

*-Providing services, technologies, and support systems that allow seniors to foster and maintain connections within the community;*

*-Emphasizing the value of elders by publicly recognizing their contributions to the diversity, strength, and unity of our community.*

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors does hereby proclaim **May 2011** to be **Older Americans Month** in Montgomery County.

**BE IT FURTHER RESOLVED**, All citizens are urged to take time this month to honor our older adults and the professionals, family members, and volunteers who care for them; our recognition of older Americans and their involvement in our lives can help us achieve stronger and more meaningful connections with each other and enrich our community's quality of life.

ISSUE/PURPOSE: Approve resolution proclaiming May 2011 as Older Americans month.

JUSTIFICATION: See TAB **B** for a copy of a letter from Tina King, Executive Director of the NRV Agency on Aging, asking that the BoS proclaim May 2011 as Older Americans month.

## **XV. COUNTY ATTORNEY'S REPORT**

## **XVI. COUNTY ADMINISTRATOR'S REPORT**

1. Public Safety Building Update

## **XVII. BOARD MEMBERS' REPORTS**

1. Supervisor MARRS
2. Supervisor MUFFO
3. Supervisor CREED
4. Supervisor PERKINS
5. Supervisor BROWN
6. Supervisor BIGGS
7. Supervisor POLITIS

## **XVIII. OTHER BUSINESS**

**XIX. ADJOURNMENT**

**FUTURE MEETINGS**

Special Meeting  
Joint Meeting with the School Board  
Christiansburg High School  
Monday, May 10, 2011  
6:00 p.m.

Special Meeting  
Joint Meeting with Town of Blacksburg  
Blacksburg Transit  
Tuesday, May 17, 2011  
5:00 p.m.

Adjourned Meeting  
Monday, May 23, 2011  
6:00 p.m. Closed Meeting  
7:15 p.m. Regular Meeting