

CONSENT AGENDA

August 25, 2008

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES
DATED MAY 27 AND JUNE 9, 2008**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **E**.

B. SCHEDULE PUBLIC HEARING

**1. SUBJECT: SCHEDULE PUBLIC HEARING
AMENDING THE USE OF CENTRAL ABSENTEE
VOTING ELECTION PRECINCT**

**R-FY-09-
RESOLUTION ESTABLISHING A PUBLIC HEARING
ON THE PROPOSED ORDINANCE AMENDING
THE USE OF THE CENTRAL ABSENTEE
VOTING ELECTION PRECINCT**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby schedule a public hearing on Monday, September 22, 2008, at 7:15 p.m. or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, in order to receive comments on the proposed Ordinance Amending the Use of the Central Absentee Voting Election Precinct by Providing for a Central Absentee Voting Election Precinct in All Elections.

ISSUE/PURPOSE: Schedule a public hearing

JUSTIFICATION: Amend the use of the Central Absentee Voting Election Precinct. The absentee ballots shall be received, counted and recorded for all elections, not just the November General Election. See TAB **F** for a copy of the proposed ordinance.

The Registrar is currently approved by the Department of Justice to have a Central Absentee Precinct (CAP) during November elections. This was set up this way

because of the huge number of absentee ballots during November elections, and the difficulty in having the individual precincts count the ballots.

Until recently, the Virginia State Board of Elections (SBE) had ruled that Virginia law would take precedent over Federal law for State and Local elections. This stance was questioned by the new Secretary of the State Board and some registrars, due to the issue of providing the same service to individuals with disabilities. The Secretary of SBE asked the attorney General's Office to clarify the law, and as a result, the AG's office determined that the Help America Vote Act must be followed – not Virginia state law. Therefore, the Registrar must use his Direct Recording Equipment for individuals with disabilities to vote in-person in the Registrar's office. This requires that a CAP be established for all our elections, including primaries and town elections.

The Town of Blacksburg is the only town that has chosen to move their town election to November. The Christiansburg Town Council has chosen to keep their elections in May until they see how Blacksburg's elections go.

The minimum number of Officers of Election for each precinct is three, which is sufficient for most elections. Only with Presidential Primaries and Gubernatorial Primaries will the numbers generally go higher. If there are at least 3 Officers of Election in the CAP, two will be paid \$125 and \$150 for one Chief Officer for working the 15 hour day and \$25 each for attending the required training session before each election. This amounts to \$475 for at least three members of the CAP.

Additional information is provided in a letter from the State Board of Elections (TAB F)

C. APPROPRIATIONS AND TRANSFERS

1. SUBJECT: CLERK OF CIRCUIT COURT

**A-FY-08-
CLERK OF CIRCUIT COURT
VIRGINIA STATE LIBRARY GRANT**

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, 2009, for the function and in the amount as follows:

251 Clerk of Circuit Court – Grants \$12,321

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

Revenue Account
02251-424401 Clerk of Circuit Court Grant \$12,321

Said resolution appropriates grant funds received to purchase security cameras and recording devices to improve security of the County records.

ISSUE/PURPOSE: Said resolution appropriates grant funds received to cover the cost of security cameras and recording devices to improve security of the County records.

2. SUBJECT: COMMONWEALTH’S ATTORNEY

**A-FY-09-
COMMONWEALTH’S ATTORNEY
FORFEITED ASSET SHARING PROGRAM**

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, 2008 for the function and in the amount as follows:

220 Commonwealth’s Attorney \$1,866

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

Revenue Account
419104 Confiscations \$1,866

Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

ISSUE/PURPOSE: Appropriate monies received from the Department of Criminal Justice Services.

JUSTIFICATION: This resolution appropriates money seized from cases investigated by the Montgomery County Drug Task Force and prosecuted by the Commonwealth Attorney's office as a participant of the Department of Criminal Justice Services' Forfeited Asset Sharing program. These funds must be used for law enforcement purposes only and may not be used to supplant existing funding.

3. SUBJECT: SHERIFF – RECOVERED COST

**A-FY-09
SHERIFF
RECOVERED COST**

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, 2009, for the function and in the amount as follows:

320 Sheriff – County \$2,350

The sources of the funds for the foregoing appropriation is as follows

Revenue Account
419108 Recovered Costs \$2,350

Said resolution appropriates recovered costs funds for use by the Sheriff's department.

ISSUE/PURPOSE: Appropriate funds from recovered costs resulting from overtime and other costs associated with the National Forest agreement (\$2,203), and other recovered costs (\$147).

D. PERFORMANCE AGREEMENT

1. **SUBJECT: PERFORMANCE AGREEMENT
NEW RIVER VALLEY COMMUNITY SERVICES
FY 2009**

**R-FY-09-
RESOLUTION ACKNOWLEDGING RECEIPT
OF THE NEW RIVER VALLEY COMMUNITY SERVICES
FY 2009 PERFORMANCE AGREEMENT**

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia acknowledges receipt of the New River Valley Community Services Board Performance Contract for Fiscal Year 2008-2009.

BE IT FURTHER RESOLVED, The Montgomery County Board of Supervisors makes no comment regarding the performance contract for the New River Valley Community Services Board for Fiscal Year 2008-2009.

ISSUE/PURPOSE: Acknowledge receipt of the New River Valley Community Services FY 2009 Performance Agreement.

JUSTIFICATION: As in past years, the complexity of the Contract inhibits a full analysis of the commitments the County may be making by endorsing this plan. Whether endorsed by the Board or not, the Commonwealth will implement the contract after September 30, 2008. In the past, we have elected not to formally adopt the plan. See TAB G for a copy of the performance agreement and letter from the NRV Community Services Director.