

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 17<sup>TH</sup> DAY OF MARCH, 2014 AT 6:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	M. Todd King	
	Annette S. Perkins	
	Matthew R. Gabriele	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahan	-County Attorney
	Angie Hill	-Director of Financial and Management Services
	Marc Magruder	-Budget Manager
	Ruth Richey	-Public Information Officer
	Judy W. Kiser	-Assistant to the County Administrator

### **CALL TO ORDER**

The Chair called the special meeting to order.

### **INTO CLOSED MEETING**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

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 of 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 #2014006

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Matthew R. Gabriele	None
Mary W. Biggs	
Gary D. Creed	
M. Todd King	
Annette S. Perkins	
Christopher A. Tuck	
William H. Brown	

### **OUT OF CLOSED MEETING**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

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

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
Mary W. Biggs	
Gary D. Creed	
M. Todd King	
Matthew R. Gabriele	
Christopher A. Tuck	
William H. Brown	

### **CERTIFICATION OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by M. Todd King and carried unanimously,

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

Mary W. Biggs  
M. Todd King  
Gary D. Creed  
Annette S. Perkins  
Christopher A. Tuck  
Matthew R. Gabriele  
William H. Brown

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

**INTO WORK SESSION**

On a motion by Christopher A. Tuck, seconded by Matthew R. Gabriele and carried unanimously,

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

1. FY 2014-2015 Budget
2. Resolution on State Budget

The vote on the foregoing resolution was as follows:

AYE

Christopher A. Tuck  
Matthew R. Gabriele  
Annette S. Perkins  
Mary W. Biggs  
Gary D. Creed  
M. Todd King  
William H. Brown

NAY

None

FY 2014-2015 Budget

The County Administrator opened the work session by explaining that the work session provides an opportunity for the Board of Supervisors to discuss thoughts, concerns, issues with the budget, and an opportunity to ask questions regarding the proposed budget.

Discussions during the work session included the master plan study for Parks and Recreation and Library facilities; requesting an update from the Commissioner of the Revenue on pro-ration of personal property taxes; capital maintenance funds; additional deputies for the Sheriff's Office; and the proposed school board budget.

Resolution on State Budget

Supervisor Chris Tuck provided copies of a draft resolution urging the Governor of Virginia and the Virginia General Assembly to pass a budget as soon as practicable, and to decouple the issue of the Medicaid Expansion under the Affordable Care Act from the budget negotiations and consider it in a separate legislative session in order to facilitate prompt passage of a state budget. He asked that the Board of Supervisors adopt the resolution once the Board comes out of Work Session. There was discussion about whether the reference to the issue of Medicaid Expansion should be included in the resolution.

**OUT OF WORK SESSION**

On a motion by Gary D. Creed, seconded by M. Todd King and carried unanimously,

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

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
Matthew R. Gabriele	
Christopher A. Tuck	
William H. Brown	

**NEW BUSINESS**

**Establish an Advertised Real Estate Tax Rate and FY 2015 Budget**

Supervisor Gabriele made a motion, seconded by Supervisor Biggs, to advertise a 90¢ real estate tax rate and with a corresponding increase in the budget, which is a 1¢ real estate tax increase. The vote on the motion was as follows:

<u>AYE</u>	<u>NAY</u>
Matthew R. Gabriele	Christopher A. Tuck
Mary W. Biggs	Gary D. Creed
Annette S. Perkins	M. Todd King
	William H. Brown

**The motion was defeated.**

**R-FY-14-10**  
**RESOLUTION ESTABLISHING AN**  
**ADVERTISED REAL ESATE TAX RATE**  
**AND ADVERTISED FY 2014-2015 BUDGET**

On a motion by Gary D. Creed, seconded by M. Todd King and carried,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the County Administrator to advertise a Real Estate tax rate of 89 cents per \$100 of assessed valuation of real estate based on 100% of fair market value.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes the County Administrator to advertise a Fiscal Year 2014-2015 Budget in the amount of \$ 171,574,710.

The vote on the foregoing resolution was as follows:

AYE

Christopher A. Tuck  
Gary D. Creed  
Todd King  
William H. Brown

NAY

Matthew R. Gabriele  
Mary W. Biggs  
Annette S. Perkins

Supervisor Mary Biggs explained that she voted no because of so many e-mails received today and because she was asked so many times if there was going to be a public comment time when people could actually comment on the proposed tax rate to be advertised, and she feels like the Board didn't have that flexibility. Supervisor Biggs asked that her comments be included in the record.

Supervisor Annette Perkins thought more discussion was needed about where we are and where we are going, looking at some of our needs, and what we should do about schools.

Supervisor Brown agreed that Board members have received a lot of e-mails. He also received a lot of phone calls and a lot of personal contacts from the people in the district he represents. 99% of those people said "Mr. Brown, we supported you on the 2¢ that helped school capital and you said that you wouldn't vote for any tax increase the coming year". And he received a lot of negative feedback on the 12¢ when the BoS set money aside to build new schools. So he wants to keep his word to those people and that is why he voted yes for the 89¢ advertised real estate tax rate.

**Resolution on State Budget**

Supervisor Tuck made a motion, seconded by Supervisor King, to approve the resolution on the state budget as presented for discussion in Work Session, which includes the issue of Medicaid Expansion under the Affordable Care Act, that is should be decoupled from budget negotiations and considered in a separate legislative session to facilitate prompt passage of a state budget. The vote was as follows:

**AYE**

Christopher A. Tuck  
Gary D. Creed  
M. Todd King

**NAY**

Matthew R. Gabriele  
Annette S. Perkins  
Mary W. Biggs  
William H. Brown

**Motion was defeated.**

**R-FY-14-111  
RESOLUTION URGING THE GOVERNOR AND  
THE GENERAL ASSEMBLY TO ADOPT A BUDGET  
AS SOON AS PRACTICABLE TO ENSURE THE CONTINUED  
FUNCTIONING OF STATE AND LOCAL GOVERNMENTS**

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously,

WHEREAS, Each year the foremost duty of the Virginia General Assembly is to pass a budget or budget amendments that serve as Virginia’s financial blueprint for each fiscal year; and

WHEREAS, Virginia is consistently recognized for its sound fiscal management and budgetary practices as illustrated by its AAA bond rating and the strong bond ratings of many local government divisions throughout the Commonwealth; and

WHEREAS, Montgomery County is currently in the process of developing and adopting its budget for the upcoming fiscal year; and

WHEREAS, The Montgomery County Board of Supervisors relies on the timely passage of a budget to allocate funding to local government services, establish timely annual tax rates in order to allow the Treasurer to issue tax bills within a reasonable time but not less than 14 days prior to the due date and make policy and hiring decisions for the upcoming fiscal year; and

WHEREAS, Residents of Montgomery County depend on the county government to provide critical services such as education and public safety and welfare; and

WHEREAS, The Montgomery County School Board relies on the timely passage of the state budget in order to set its budget and make staffing decisions, which include teacher contracts; and

WHEREAS, The interruption of the provision of educational services to Montgomery County students will have a significant negative impact on students and families; and

WHEREAS, The interruption of public safety services would likely result in the loss of property, serious injury, or loss of life for Montgomery County citizens; and

WHEREAS, Critical mental health services to Montgomery County residents are provided via funds that flow from the state budget through the county; and

WHEREAS, The Virginia General Assembly adjourned *sine die* on Saturday March, 8, 2014 without adopting a budget for the two-year biennium beginning [July 1, 2014](#).

NOW, THEREFORE BE RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors requests that the Governor of Virginia and the Virginia General Assembly are urged to pass a budget as soon as practicable to ensure the continued functioning of state and local governments; and

BE IT FURTHER RESOLVED, That the Montgomery County Board of Supervisors shall transmit copies of this resolution to the Honorable Terence R. McAuliffe, Governor of the Commonwealth of Virginia and the members of the Virginia General Assembly so that they may be apprised of the sense of the Montgomery County Board of Supervisors in this matter.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Matthew R. Gabriele	None
Annette S. Perkins	
Mary W. Biggs	
Todd King	
Gary D. Creed	
Christopher A. Tuck	
William H. Brown	

### **Upcoming Meetings**

The County Administrator provided upcoming meeting dates as follows:

Adjourned Meeting  
March 24, 2014  
6:30 p.m. Closed Meeting Items  
7:15 p.m. Regular Agenda

Community Conversations Meeting  
Christiansburg High School  
Tuesday, March 25, 2014  
7:00 p.m.

Special Meeting  
Public Hearing on the Advertised Tax Rate  
and Advertised FY 2015 Budget  
Thursday, April 3, 2014  
7:00 p.m.

Community Conversations Meeting  
Margaret Beeks Elementary School-Annex  
Tuesday, April 8, 2014  
7:00 p.m.

Regular Meeting  
Monday, April 14, 2014  
6:30 p.m. Closed Meeting Items  
7:15 p.m. Regular Agenda

**ADJOURNMENT**

The Chair declared the meeting adjourned to Monday, March 24, 2014 at 6:30 p.m.

The meeting adjourned at 9:00 p.m.

APPROVED: \_\_\_\_\_  
William H. Brown  
Chair

ATTEST: \_\_\_\_\_  
F. Craig Meadows  
County Administrator