

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 24<sup>th</sup> DAY OF NOVEMBER, 2014 AT 6:30 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
	Matthew R. Gabriele	
	M. Todd King	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Ruth Richey	-Public Information Officer
	Brea Hopkins	-Planner
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Annette S. Perkins	-Supervisor

### **CALL TO ORDER**

The Chair called the 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      (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
  2. Former Prices Fork Elementary School Property

- (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. NRV Economic Development Alliance
  - 2. Western Virginia Emergency Medical Services Council

The vote on the forgoing motion was as follows:

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

**OUT OF CLOSED MEETING**

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

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

The vote on the forgoing motion was as follows:

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

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins

ABSENT DURING MEETING

Annette S. Perkins

**INVOCATION**

A moment of silence was led by the Chair.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**DELEGATIONS**

**Montgomery County Cooperative Extension**

Michelle Dickerson, 4-H Agent, and Kelli Scott, Agriculture and Natural Resources Agent, updated the Board on the Montgomery County Cooperative Extension activities and highlights of the educational programs provided for the citizens of Montgomery County in the areas of Agriculture and Natural Resources, Family and Consumer Sciences and 4-H Development.

## **PUBLIC HEARING**

### Special Use Permit – James & Sherry Carter

**A request by James & Sherry Carter for a Special Use Permit (SUP) on approximately 2.253 acres in an Agricultural (A-1) zoning district to allow a family subdivision of property with one (1) additional lot assignment over the amount allowed under sliding scale as permitted under Section 10-21 (4) (b) of the Montgomery County Zoning Ordinance. The property is located at 3591 Peppers Ferry Road and is identified as Tax Parcel No. 064- A 86A (Account No. 030005) in the Riner Magisterial District (District B). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further designated as medium density residential in the Belview Village Plan.**

Brea Hopkins, Development Planner, provided a summary of the Special Use Permit request. The applicant is requesting a Special Use Permit to allow an additional lot assignment in order to transfer a lot to a family member. According to the applicant, they purchased an additional lot in 2004 and at the time the surveyor vacated the property boundary line without their knowledge, thus creating one larger parcel instead of 2 parcels.

At their November 12, 2014 meeting, the Planning Commission reviewed the request and recommended approval of the Special Use Permit with two conditions as follows:

1. The proposed lot shall be transferred to a qualifying family member.
2. A note regarding the private access easement and identification of Bradford Lane as a private road shall be included on the final plat.

There being no speakers, the public hearing was closed.

Supervisor Tuck stated that since there were no speakers tonight or any opposition received that he would like to add the Special Use Permit to the agenda for consideration.

## **PUBLIC ADDRESS**

Sue Farrar, Executive Director for the Montgomery Museum, updated the Board on the Museum's activities. She provided highlights of their annual Heritage Day event and the Mountain of Music Homecoming event sponsored by the Crooked Road. Ms. Farrar reported that currently they have over 4,000 artifacts and over 20,000 photographs at the Museum. They offer internships for local universities and currently have six student interns from Virginia Tech and have five student volunteers. They have over 100 citizen volunteers and have two paid staff members. Ms. Farrar thanked the Board of Supervisors for their support.

Scott Noonkester asked the Board to consider naming a section of Prices Fork Road after his father, Jim Noonkester. Mr. Noonkester stated his father served as a member of the Board of Supervisors and a community leader for numerous years.

Mara Robbins addressed the Board regarding the proposed Mountain Valley Pipeline. Ms. Robbins thanked the Board for being generous in allowing citizens to speak at the Board meetings regarding the pipeline. She thanked the Board for adopting a resolution in opposition to the Mountain Valley Pipeline; however, she expressed concern with the last paragraph in the resolution that the Board may reconsider their support if the route is moved away from dense population. She commented that they are opposed to the pipeline in its entirety. Ms. Robbins also reported that two townships in Pennsylvania are considering anti-pipeline ordinances intended to prevent a natural gas pipeline from running through their communities. She provided a handout on the community rights and the efforts of some communities to establish a Community Bills of Rights. Floyd County is in the process of looking at the process to establish a Community Rights ordinance and requests Montgomery County do the same.

There being no further speakers, the public hearing was closed.

### **ADDENDUM**

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried unanimously, the following addendum was added to the agenda under New Business:

- Ordinance Allowing a Special Use Permit for James & Sherry Carter for the purpose of allowing a family subdivision with one additional lot assignment over the amount allowed under the sliding scale as permitted by the Montgomery County Zoning Ordinance.

The vote on the foregoing motion was as follows:

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

### **CONSENT AGENDA**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated November 24, 2014 was approved. The vote was as follows:

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

**Approval of Minutes**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the minutes dated July 28, August 4, August 11, August 25 and September 2, 2014 were approved.

**Schedule Public Hearing**

**R-FY-15-45**

**A RESOLUTION SCHEDULING A PUBLIC HEARING ON  
THE TOWN OF CHRISTIANSBURG’S REQUEST TO THE BOARD OF  
SUPERVISORS FOR A VARIABLE WIDTH PERMANENT PEDESTRIAN ACCESS  
EASEMENT ON COUNTY PROPERTY BESIDE THE OLD COURTHOUSE**

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a public hearing for Monday, December 15, 2014, at 7:15 p.m. or as soon thereafter in the Board Chambers at the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Town of Christiansburg’s request for a variable width permanent pedestrian access easement across a portion of County property, Tax Parcel # 527(A)-84, the former Crowgey property, beside the old Courthouse.

**Appropriations and Transfers**

**A-FY-15-49**

**SHERIFF APPROPRIATION  
FOR ADDITIONAL BODY CAMERAS, PATROL SCOUT  
SOFTWARE AND PURCHASE OF MOBILE DATA TERMINALS**

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

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, 2015 for the function and in the amount as follows:

320	Sheriff- County	\$66,780
140	Information Technology	<u>\$40,000</u>
		106,780

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

Revenue Account

451203 Undesignated Fund Balance \$106,780

Said resolution appropriates undesignated fund balance to purchase 70 additional body cameras, the Patrol Scout software system and 8-9 Mobile Data Terminals (MDT) replacements for the Sheriff’s Office.

**A-FY-15-50  
SHERIFF  
RECOVERED COSTS**

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

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, 2015, for the function and in the amount as follows:

310 Sheriff Comp Board	\$ 1,935
320 Sheriff County	\$31,301
321 Sheriff County	<u>\$ 5,113</u>
Total	\$38,349

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

419108 Recovered Costs	\$33,236
419104 Confiscations	<u>\$ 5,113</u>
Total	\$38,349

Said resolution appropriates recovered costs and monies received from the Department of Criminal Justice Services Asset Forfeitures.

**A-FY-15-51  
COMMONWEALTH’S ATTORNEY  
FORFEITED ASSET SHARING PROGRAM**

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

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, 2015, for the function and in the amount as follows:

200 Commonwealth’s Attorney	\$7,057
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The source of the funds for the foregoing appropriation is as follows

Revenue Account

419104 Confiscations \$7,057

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

**A-FY-15-52  
ECONOMIC DEVELOPMENT AUTHORITY  
REIMBURSEMENT**

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

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, 2015, for the function and in the amount as follows:

451209 Transfer to County Capital Projects \$58,000

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

451203 Undesignated Fund Balance \$58,000

BE IT FURTHER RESOLVED, The County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015 for the function and in the amount as follows:

810 Economic Development Capital Projects \$58,000

**Amend County Policy**

**R-FY-15-46  
AMEND THE FIRE AND RESCUE VEHICLE POLICY**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Montgomery County Fire and Rescue Vehicle Policy adopted on October 22, 1990 is hereby amended and reinstated as follows:

1. Emergency personnel will, at all times, drive and operate emergency vehicles in a manner consistent with safety and due regard for the welfare of the public
2. Personnel driving emergency vehicles will be ~~21~~ **at least 18** years of age, possess a valid operator's license issued by the Division of Motor Vehicles, State of

Virginia, and will know the provisions of the Vehicle Code and be familiar with the other pertinent information regarding their privileges and responsibilities as operators of fire and rescue department automotive equipment.

3. ***Rescue personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be allowed to drive from the hospital to the station to develop their driving skills under the supervision of an approved driver.***
4. ***Fire Department personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVOC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be trained in the operation and driving of a fire apparatus by skilled drivers prior to being allowed to respond in emergency situations. Anything in these rules shall not conflict with department procedures for clearing a driver/operator for certain apparatus.***
- 3.5. All personnel who wish to operate a County owned or insured vehicle must submit a copy of their driver's licenses and submit to a Division of Motor Vehicle verification of their driving record, which will remain on file in the County Administrator's Office and at each station in the event of an accident or question surrounding the operation of a motor vehicle arises. The DMV checks will be made by Montgomery County at no cost to the member.
- 4.6. All new drivers who wish to operate a fire or rescue vehicle shall be fully in-serviced in its operation and shall be certified by the department chief.
- 5.7. Operators of Montgomery County emergency vehicles shall be a member of the fire or rescue department or operating on a mutual aid request.
- 6.8. All fire vehicle operators must know pump operations, maintenance procedures and utilization of that vehicle and control of the apparatus and vehicles on and off the scene.
- 7.9. All personnel shall wear seat belts and no one shall ride in any position on an emergency vehicle without a seat and seat belt being provided for that riding position unless exempted for one of the following two reasons: (1) the rescue squad member attending the patient in the patient compartment of the ambulance

is providing care to a patient, or (2) firefighters may temporarily release the seat belt in order to put on a breathing apparatus.

- 8.10. Riding on tailboards, hose beds, side steps or any other non-protected area is strictly prohibited.
- 9.11. When operating vehicles for reasons other than responding to calls, the driver shall drive defensively and observe all traffic laws.
- 10.12. At all times, the driver shall operate the vehicle within speed limitations so that the vehicle may be safely controlled at all times and controlled in the event of emergency situations such as vehicles stopping in front of you, vehicles turning in front of you, etc.
- 11.13. Emergency vehicles shall be brought to a stop or almost stop when the vehicle approaches a stop sign or red stop sign. Vehicles may then proceed through the intersection when it is safe to do so. At other intersections extreme caution will be exercised and the vehicle brought to a complete stop if necessary.
- 12.14. An emergency vehicle that is approaching a school bus on a two lane highway or street that is taking on or unloading children and displaying flashing lights, will come to a complete stop and will not proceed until such time as the flashing red lights are turned off by the school bus driver. Speed limits shall be complied with in school zones while flashing lights are on or crossing guards are present.
- 13.15. Emergency vehicles will be operated as emergency vehicles with all warning devices operating continuously as provided by law. Emergency warning lights and headlights will be illuminated at all hours of the day or night while responding to calls and as necessary when working at emergencies. Particular attention should be given to operating the siren on a fluctuating sound rather than a consistent sound. Sirens will be used at full capacity when proceeding through controlled intersections or while passing traffic. Exceptions may be passing of traffic on the right side of multi-lane highways. In response to calls, no emergency vehicle shall pass another emergency vehicle unless it is delayed or disabled or radio approval is given by the lead unit. Racing with emergency vehicles at any time is strictly prohibited.
- 14.16. It shall be the driver's responsibility to ensure that the area behind the vehicle is clear before backing the vehicle. The driver should have a guide in place to direct the vehicle in a safe manner.
- 15.17. During emergency response, use of any tobacco products such as smoking, chewing, and dipping of snuff, and drinking or eating of food is prohibited by all personnel responding to an emergency call in a county vehicle.

- 16.18. Persons riding jump seats shall remain seated and have safety belts fastened at all times while the vehicle is in motion. Personnel shall also not step on or from any emergency vehicle until it is at a complete stop.
- 17.19. Vehicles will not leave on emergency calls until all personnel are seated and seat belted into riding position.
- 18.20. Personnel under the influence of alcohol or other mind altering substances shall be prohibited from operating an emergency vehicle and, responding to or operating at emergency incidents.
- 19.21. Failure to comply with any section of this procedure shall lead to disciplinary action, up to and including the removal of the member as an active member of the fire or rescue unit.
- 20.22. All personnel shall abide by all applicable federal, state and local laws while in or operating emergency vehicles.

\*Deletions are denoted by ~~strike through~~ and additions are denoted in ***bold italic***

## **OLD BUSINESS**

### **R-FY-15-47 RESOLUTION APPROVING THE CONVEYANCE OF A TEN FOOT (10') WIDE EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER COMPANY ON THE FORMER AEP PROPERTY LOCATED OFF NIK RYAN DRIVE; TAX MAP NO 54-A-4A**

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

WHEREAS, Appalachian Power Company (“AEP”) has requested the Board of Supervisor of the County of Montgomery, Virginia to convey a ten foot wide easement and right-of-way along the eastern boundary of the County property commonly referred to as “the former AEP Property” located off Nik Ryan Drive, Tax Map No. 54-A-4A, in order to place an existing overhead power line underground; and

WHEREAS, The Board of Supervisors is willing to convey the ten foot wide easement and right-of-way to AEP; and

WHEREAS, A public hearing on this proposed conveyance was held on Wednesday, November 12, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a ten foot wide easement and right-of-way to AEP along the eastern boundary of the County property commonly referred to as “the former AEP Property” located off Nik Ryan Drive, Tax Map 54-A-4A; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William Brown, Chair, to sign the Easement and any other documents necessary to convey the easement and right-of-way to Appalachian Power Company.

The vote on the forgoing resolution was as follows:

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

## **NEW BUSINESS**

**ORD-FY-14-06**  
**ORDINANCE ALLOWING A SPECIAL USE PERMIT**  
**FOR JAMES & SHERRY CARTER FOR THE PURPOSE OF ALLOWING A**  
**FAMILY SUBDIVISION OF PROPERTY WITH ONE (1) ADDITIONAL LOT**  
**ASSIGNMENT OVER THE AMOUNT ALLOWED UNDER SLIDING SCALE AS**  
**PERMITTED UNDER SECTION 10-21 (4) (B) OF THE MONTGOMERY**  
**COUNTY ZONING ORDINANCE IN THE RINER MAGISTERIAL DISTRICT**  
**(DISTRICT B); IDENTIFIED AS 064- A 86A; ACCOUNT NO. 030005**

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the request by James & Sherry Carter for a Special Use Permit (SUP) on approximately 2.253 acres in an Agricultural (A-1) zoning district to allow a family subdivision of property with one (1) additional lot assignment over the amount allowed under sliding scale as permitted under Section 10-21 (4) (b) of the Montgomery County Zoning Ordinance is consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. The proposed lot shall be transferred to a qualifying family member of Mr. & Mrs. Carter.
2. A note regarding the private access easement and identification of Bradford Lane as a private road shall be included on the final plat.

The property is located at 3591 Peppers Ferry Road and is identified as Tax Parcel No. 064- A 86A (Account No. 030005) in the Riner Magisterial District (District B). The property lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further designated as medium density residential in the Belview Village Plan.

The vote on the forgoing ordinance was as follows:

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

**A-FY-15-53**  
**COUNTY FY 14 YEAR-END CARRYFORWARD**

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck and carried unanimously,

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, 2015, for the function and in the amount as follows:

100 Board of Supervisors	\$17,500
110 County Administration	\$43,880
152 Assessment	\$10,340
162 Treasurer – Collections	\$570
170 Registrar	\$9,362
200 Commonwealth Attorney	\$22,040
210 Circuit Court	\$2,440
220 General District Court	\$520
230 Juvenile & DR Court	\$1,481
310 Sheriff – Comp Board	\$16,132
400 General Services	\$24,061
420 Engineering & Reg. Compliance	\$27,600
520 Human Services	\$7,600
540 Social Services	\$72,865
700 Parks and Recreation	\$7,583
710 Regional Library	\$21,921
451209 Transfer to County Capital Projects	<u>\$39,114</u>
Total	<b>\$325,009</b>

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

<u>Revenue Account</u>			
02	451203	Undesignated Fund Balance	<b>\$325,009</b>

BE IT FURTHER RESOLVED, That the County Capital Projects fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015 for the function and in the amount as follows:

700 Parks and Recreation \$39,114

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

451100 Transfer from General Fund \$39,114

Said resolution appropriates amounts recommended to be carried forward for use in the current year.

The vote on the forgoing resolution was as follows:

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

**R-FY-15-48**  
**STATE BUDGET CUTS METHOD**  
**OF REIMBURSEMENT FOR FY 2015**

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

WHEREAS, On November 10, 2014, the General Assembly passed HB 5010 which amends Chapter 2, 2014 Acts of Assembly, Special Session 1 to include a \$30 million reduction in state aid to local governments in FY 2015; and

WHEREAS, The Act also provides three methods from which a locality can choose to carry out the required reduction which include:

1. Take the reduction from one or more programs on a list provided by the Department of Planning and Budget,
2. Make a reimbursement payment directly to the state for the total locality reduction,
3. Elect a combination of reductions and reimbursement payments,

WHEREAS, The Department of Planning and Budget identified Montgomery County's reduction for FY 2015 totaling \$159,844.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Montgomery County elects to take the reduction from one or more programs as listed by the Department of Planning and Budget and specifically identified by the County.

The vote on the forgoing resolution was as follows:

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

**A-FY-15-54  
STATE BUDGET CUTS FOR FY 15**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is adjusted for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

<u>Revenue Account</u>		
150 423100	Commissioner Shared Expenses	(\$3,218)
160 423100	Treasurer Shared Expenses	(\$2,849)
170 423100	Registrar Shared Expenses	(\$1,410)
200 423100	Comm. Atty. Shared Expenses	(\$15,729)
250 423100	Clerk Shared Expenses	(\$7,240)
320 423100	Sheriff Shared Expenses	(\$55,311)
02 422103	Motor Vehicle Carrier Tax	(\$4,513)
710 424409	State Library Grant	(\$6,095)
720 424409	State Library Grant	(\$1,076)
520 424412	VJCCCA Grant	(\$1,503)
02 451203	Undesignated Fund Balance	\$98,944
<b>Total Revenue</b>		<b>\$ 0</b>

Said resolution appropriates undesignated fund balance to cover the County's portion of the \$30 million mandated reduction in state aid to localities for FY 2015.

The vote on the forgoing resolution was as follows:

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

**R-FY-15-49**

**RESOLUTION AUTHORIZING APPROVAL OF THE THIRD AMENDMENT TO THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE AND SALE AGREEMENT EXTENDING THE REVIEW PERIOD**

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously,

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, Both the Purchaser and Seller desire to amend Section 7.1 of the Agreement by extending the review period from December 1, 2014 to January 31, 2015, at 5:00 p.m. EST in order to provide additional time for the parties to sort out the road improvements to Prices Fork Road being 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 Third Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement extending the review period from December 1, 2014 to January 31, 2015, at 5:00 p.m. EST in order to provide additional time for the parties to work out and finalize with VDOT what the required road improvements to Prices Fork Road will be for the redevelopment of the Property.

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 Third Amendment on behalf of the Board of Supervisors.

The vote on the forgoing resolution was as follows:

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

## **COUNTY ADMINISTRATOR'S REPORT**

The County Administrator reported that the General Services Department is ready for the upcoming inclement weather. Snow plows have been installed on the County trucks.

The County Administrator wished everyone a Happy Thanksgiving.

## **BOARD MEMBERS REPORTS**

**Supervisor Tuck** reported Shelor Motor Mile hosted the 3rd annual Growing the Future Talent Show Finale on Saturday, November 15 at Christiansburg High School. Over \$60,000 was awarded to students and high schools in the New River Valley, Craig County, Giles County, and Radford City. Blacksburg High School student, Morgan Arrivillaga performed a Broadway Vocal and Tap Solo and took home the grand prize of \$20,000 for her school and \$2,500 for herself. Other winners are as follows:

2<sup>nd</sup> Place: Christiansburg High School

3<sup>rd</sup> Place: Radford High School

4<sup>th</sup> Place: Pulaski County High School

5<sup>th</sup> Place: Tied: Floyd County High School and Narrows High School

**Supervisor Gabriele** asked that a copy of the Board's resolution outlining the County's reimbursement back to the State due to State budget cuts be provided to the County's legislators. The Board is scheduled to have a legislative meeting on Monday, December 8, 2014.

**Supervisor King** reported the Auburn High School Girls Volleyball Team won their 3<sup>rd</sup> straight state championship. He expressed appreciation to the Sheriff's Office for escorting the bus back to the school after winning the championship.

Supervisor Tuck asked that a resolution recognizing AHS Girls Volleyball Team winning the state championship be on the next agenda.

**Supervisor Creed** recognized Matt Hagan for winning the 2014 NHRA Funny Car World Championship. This is the second time Matt Hagan has won the World Championship. Supervisor Creed requested a resolution recognizing Mr. Hagan's accomplishment be added to the next agenda.

**Supervisor Brown** thanked Harry Spence for hosting a retiree gathering for former law enforcement officers. Former Sheriff Doug Marrs, former Deputy's John Yon, and Billy Saunders were a few who attended.

Chair Brown thanked the Montgomery County Sheriff's Office and the Town of Blacksburg Police Department for providing security at the November 5<sup>th</sup> meeting with the Mountain Valley Pipeline representatives. There were approximately 1,000 people in attendance.

Chair Brown requested a copy of the Board's resolution in opposition to the Mountain Valley Pipeline be forwarded to U.S. Senators Tim Kaine and John Warner, and Delegate Morgan Griffith.

No PSA meeting scheduled for December.

The entire Board wished everyone a Happy Thanksgiving.

**ADJOURNMENT**

The Chair declared the meeting adjourned to Monday, December 8, 2014 at 6:30 p.m. The meeting adjourned at 8:20 p.m.

APPROVED \_\_\_\_\_ ATTEST: \_\_\_\_\_  
William H. Brown F. Craig Meadows  
Chair County Administrator