

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13<sup>TH</sup> DAY OF APRIL, 2015 AT 6:00 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 (arrived 7:10 p.m.)	
	M. Todd King	
	Annette S. Perkins (arrived 7:30 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The Chair called the meeting to order.

### **INTO CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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 (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. Aeroprobe
2. Backcountry.com

- (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. Economic Development Authority
  - 2. Library Board
  - 3. NRV Emergency Communications Regional Authority
  
- (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

The vote on the forgoing motion was as follows:

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

Supervisor Gabriele arrived at 7:10 p.m.

**OUT OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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>ABSTAIN</u>	<u>ABSENT DURING VOTE</u>
M. Todd King	None	Matthew R. Gabriele	Annette S. Perkins
Mary W. Biggs			
Christopher A. Tuck			
Gary D. Creed			
William H. Brown			

Supervisor Gabriele abstained due to not being present during the Closed Meeting session.

## **CERTIFICATION OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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  
Gary D. Creed  
M. Todd King  
William H. Brown

#### **NAYS**

None

#### **ABSTAIN**

Matthew R. Gabriele

#### **ABSENT DURING VOTE**

Annette S. Perkins

#### **ABSENT DURING MEETING**

None

Supervisor Gabriele abstained due to not being present during the Closed Meeting session.

## **INVOCATION**

A moment of silence was led by the Chair.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

Supervisor Perkins arrived 7:30 p.m.

## **PRESENTATIONS, RECOGNITIONS, AND AWARDS**

### National Child Abuse Prevention Month – April 2015

Cord Hall made a presentation on the National Child Abuse Prevention Month. Mr. Hall appreciates the Board of Supervisors recognizing April as National Child Abuse Prevention Month at their last meeting. He reported there are 2.9 million cases of child abuse reported every year. Five children die every day from child abuse, 1 out of 3 girls and 1 out of 5 boys are sexually abused before the age of 18. Mr. Cord invited the Board to a Child Abuse Prevention Seminar on April 23, 2015, 6:00 p.m. at the Montgomery County Courthouse.

### Virginia Department of Transportation

David Clarke, Residency Administrator, provided an update on road issues/projects in Montgomery County as follows:

#### Walton Road and Switchback Road - David Clarke reported the following road closures:

On Monday, April 20 and Tuesday, April 21, Route 663 (Walton Road) in the Radford area will be closed to traffic at the railroad crossing from 9 a.m. to 5:30 p.m. for railroad repairs.

On Wednesday, April 22, Route 719 (Switchback Road) in the Radford area will be closed to thru traffic at the railroad crossing from 9 a.m. to 5:30 p.m. for railroad repairs.

Signage and traffic control will be in place to alert motorists of the work zone.

Drivers should plan their travel accordingly to avoid closure times or seek alternative routes.

For the latest information on this traffic alert, visit [www.511Virginia.org](http://www.511Virginia.org) or follow us on twitter at @511southwestva or @VaDOTSalem.

Supervisor Tuck requested this information be placed on the County's website.

### North Fork Road (SR 603)

The continuing reconstruction of Route 603 (North Fork Road) will close the road beginning Monday, April 20. The road will close between I-81, exit 128 at 5375 North Fork Road in Elliston to Route 11/460 at the intersection with Enterprise Drive. A detour will be in place with signs directing traffic. Local traffic will have access and flaggers may be used to control local traffic at times. Weather permitting, the work is expected to be completed in summer 2016.

### Six-Year Secondary Road Projects:

- Mt. Pleasant Road (SR 639) – is scheduled to be completed in the Spring 2015. Section from SR 625 to SR 722. The Revenue Sharing project for Mt. Pleasant Road is scheduled to begin after the Brush Creek Rd Revenue Sharing project is finished. David Clarke will provide a work schedule to the Board.
- Piney Woods Road (SR 600) project will start in the summer. This will be a lengthy project as they will be upgrading 2 miles of road.

### Board of Supervisors concerns:

Dobbins Hollow Road – Supervisor King stated that Dobbins Hollow Road is in need of grading as it is full of pot holes. David Clarke stated VDOT is in the process of grading and patching roads and will make sure this road is on their list.

Fairview Church Road – Low Water Bridge: Supervisor King asked for the status of getting the low water bridge flooding issues fixed. David Clarke replied the project is on VDOT's list. He will check the schedule.

Old Sourwood Road – Dirt Glue Project: Supervisor Tuck requested an update on getting Old Sourwood Road fixed. The County Administrator reported Dan Brugh, MPO, is in discussions with the Dirt Glue Company and will report back to the Board on his findings.

### **PUBLIC HEARING**

The Virginia Department of Transportation and the Board of Supervisors of Montgomery County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing as follows:

**The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2015/2016 through 2020/21 in Montgomery County, and on the Secondary System Construction Budget for Fiscal Year 2015/16.** All projects in the Secondary Six-Year Plan that are eligible for federal funds will be included in the Statewide Transportation Improvement Program (STIP), which documents how Virginia will obligate federal transportation funds.



## **PUBLIC ADDRESS**

Bob Leonard with the Christiansburg Institute thanked the Board for their continued support. Mr. Leonard asked the Board to consider increasing their budget allocation from \$5,000 to \$10,000. The Christiansburg Institute has hired a professional consultant to help develop a strategic plan and business plan. The increase in funds will help with future endeavors.

James Willis addressed the Board regarding concerns with the County's debt capacity. Mr. Willis stated that the County's financial situation is precarious and he believes the County's bond rating will be affected if more debt is issued. He believes that the County needs to plan for emergency situations by placing funds aside. Mr. Willis also addressed the County's supporting \$412,000 in a grant to Fieldstone Housing Development. He believes the County should spend money wisely and not allocate funds toward a for-profit business.

Betsy Duane requested several months ago for the Board to look into a contractor dumping on property adjoining hers. She has since found out that the Virginia Department of Transportation (VDOT) is also dumping material from the Mt. Pleasant Road project on property beside hers with no posted permit. Ms. Duane requested VDOT not to use the same contractor for the next phase of Mt. Pleasant Road. She stated there is contamination of water from the dumping of materials and has notified the Department of Environmental Quality (DEQ). She is prepared to sue VDOT, the contractor and the County if something is not done.

There being no further speakers, the public address session was closed.

## **ADDENDUM**

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the following Addendum dated April 13, 2015 was added to the Consent Agenda:

Appointment - NRV Emergency Communications Regional Authority-Jointly Appoint Alan Fabian as a Citizen Member

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</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 Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated April 13, 2015 was approved. The vote was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</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 Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the minutes dated December 15, 2014, January 5, January 12, and January 16, 2015 were approved.

Appropriations and Transfers

**A-FY-15-73  
ECONOMIC DEVELOPMENT  
REIMBURSEMENT**

On a motion by Christopher A. Tuck, 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      \$6,706

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

451203      Undesignated Fund Balance      \$6,706

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      \$6,706

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

451100      Transfer from General Fund      \$6,706

Said resolution appropriates funds from Fund Balance to County Capital projects to cover the costs of reimbursing the Economic Development Authority (EDA) for expenses associated with surplus properties.

**A-FY-15-74**  
**ECONOMIC DEVELOPMENT**  
**GOVERNOR'S OPPORTUNITY FUND**  
**WOLVERINE ADVANCED MATERIALS**

On a motion by Christopher A. Tuck, 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:

810	Economic Development	\$250,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424500	Governor's Opportunity Fund	\$250,000

Said resolution appropriates funds received as part of the Governor's Opportunity Fund for Wolverine Advanced Materials.

**A-FY-15-75**  
**EMERGENCY SERVICES COORDINATOR**  
**BURN BUILDING GRANT**

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

BE IT RESOLVED, By the Montgomery County Board of Supervisors 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:

111	Emergency Services Coordinator Grants	\$480,000
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
99111-424401	State Grants	\$480,000

Said resolution appropriates grant funds to construct a burn building.

**A-FY-15-76**  
**FIRE PROGRAM FUND ALLOCATION**

On a motion by Christopher A. Tuck, 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:

23311 Fire Program Fund Distribution	\$14,592
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
424401 Fire Program Fund Distribution	\$14,592

Said resolution appropriates funds received from the Fire Program Fund for use by volunteer fire departments.

**A-FY-15-77**  
**INFORMATION TECHNOLOGY**  
**TRANSFER FROM THE TECHNOLOGY RESERVE FUND FOR**  
**SERVER AND DATA STORAGE INFRASTRUCTURE EXPANSION**  
**AND DISASTER RECOVERY**

On a motion by Christopher A. Tuck, 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:

140 Information Technology	\$235,000
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The source of funds for the foregoing appropriation is as follows:

451501 Designated Fund Balance	\$235,000
Technology Reserve	

Said resolution appropriates funds for expansion of IT Server and Data Storage Infrastructure and Disaster Recovery capabilities.

**A-FY-15-78**  
**TRANSFER TO SCHOOL CAPITAL PROJECTS**

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

BE IT RESOLVED, 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 School Capital Projects	\$74,700
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Undesignated Fund Balance	\$74,700
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BE IT FURTHER RESOLVED, That the School 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:

6600	Future School Projects	\$74,700
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451100	Transfer from General Fund	\$74,700
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Said resolution appropriates monies to cover the cost of the County's land purchase at the old Shawsville Elementary School.

Appointments

**R-FY-15-103**  
**APPOINTMENT**  
**MONTGOMERY REGIONAL**  
**ECONOMIC DEVELOPMENT COMMISSION**  
**TOWN OF BLACKSBURG REPRESENTATIVE**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints **John Bush** as the Town of Blacksburg representative to the **Montgomery Regional Economic Development Commission** effective April 14, 2015 and expiring April 13, 2018.

**R-FY-15-104**  
**APPOINTMENT**  
**NEW RIVER VALLEY**  
**HOME CONSORTIUM BOARD**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the Board of Supervisors hereby appoints the **Montgomery County Planning Director, or designee**, to the **New River Valley HOME Consortium Board** effective April 14, 2015 and expiring June 30, 2016.

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

Said appointment fills the unexpired term of Steve Sandy who resigned.

**R-FY-15-105**  
**APPOINTMENT**  
**NEW RIVER-HIGHLANDS RESOURCE**  
**CONSERVATION AND DEVELOPMENT COUNCIL (RC&D)**  
**MONTGOMERY COUNTY REPRESENTATIVE**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby appoints the **Montgomery County Planning Director, or designee**, as Montgomery County's representative to the **New River-Highlands Resource Conservation and Development Council** effective April 14, 2015 and expiring December 31, 2015.

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.

**R-FY-15-106**  
**APPOINTMENT**  
**NRV EMERGENCY COMMUNICATIONS**  
**REGIONAL AUTHORITY -CITIZEN MEMBER**  
**ALAN FABIAN**

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

WHEREAS, The Virginia General Assembly enacted the “New River Valley Emergency Communications Regional Authority Act” permitting the formation of the New River Valley Emergency Communications Regional Authority; and

WHEREAS, The Act provides for the appointment of five (5) persons to the Authority’s Board, one (1) from each participating political subdivision of the Authority, with the fifth member jointly appointed by the unanimous approval of the participating political subdivision; and

WHEREAS, The Authority Board recommends that Alan Fabian serve as the jointly appointed member for a four-year term expiring on March 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors approved the appointment of **Alan Fabian** as the joint appointee to the **New River Valley Emergency Communications Regional Authority** effective immediately upon approval by the other participating political subdivisions for a four-year term expiring on March 31, 2019.

**RECESS**

The Board took a 15 minute recess at 8:15 p.m. and reconvened at 8:30 p.m.

**INTO WORK SESSION**

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

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

1. FY 2016 Budget
2. Eliminate Split Voting Precincts in Montgomery County
3. MCPS Request for Capital Funds

The vote on the forgoing motion was as follows:

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

### **FY 2016 Budget Update**

Deputy County Administrator Carol Edmonds provided an update on the County's FY 2015-2016 Budget as follows:

#### **Operating Budget –Ongoing Funds**

New Revenue	\$300,000
(Increase in the real estate growth estimate)	
Adjustments	
Decrease in Comp Board Revenue	<u>(\$25,251)</u>
Available Revenue	\$274,749
Possible Uses of Available Revenue:	
Public Safety Blg-Maintenance Contracts	(\$19,000)
Inmate work crew	(\$99,500)
Increase to schools	<u>(\$156,249)</u>
Total possible expense	(\$274,749)

#### **Windfall Dollars-One-Time Funds**

Available Dollars	\$678,707
Possible Uses:	
Library Master Plan	(\$35,000)
Library Drainage Repair	(\$15,000)
Parental Leave Reserve	(\$75,000)
Frog Pond Refurbishment	(\$250,000)
School Bus Replacements (2)	(\$153,707)
Technology-Schools	<u>(\$150,000)</u>
Total possible expense	(\$678,707)

## Undesignated Dollars-One-Time Funds

Available Dollars	\$404,360
Possible Uses:	
Transfer to School Capital for SES	(\$74,700)
Restore Capital Reserve for FY 16	(\$42,327)
Reserve for Animal Shelter	<u>(\$287,333)</u>
Total possible expense	(\$404,360)

Ms. Edmonds stated that the FY 16 Advertised Tax Rate is 89 cents and the FY 16 Advertised Budget with the added revenue is \$176,250,818. April 20, 2015 at 7:15 pm is the date to set the tax rate and final FY 16 budget.

The Board discussed the information that was provided as following:

Supervisor Perkins requested an additional \$5,000 be allocated to Christiansburg Institute in FY 16 for a total of \$10,000. She asked that this increase be made part of their annual base budget.

Operating Budget- New Revenue \$274,749:

- Unanimous to allocate \$19,000 for Public Safety Bldg Maintenance Contract
- Consensus to allocate \$156,249 to School Operating
- Unanimous to allocate \$99,500 to Special Contingencies for Inmate Working Crew. Board will discuss this issue at a later date. Supervisor Gabriele requested more information:
  - How will this save money for the County? Cost of current County contracts for mowing?
  - Will it cut jail costs?
  - Have other localities seen savings from operating an inmate working crew?

Windfall Dollars- \$678,707

- Consensus to place in Special Contingencies. Board will discuss possible uses at a later date. Staff provided a list of possible uses during the work session.

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Undesignated Dollars- \$404,360

- Transfer to School Capital for SES \$74,700 ( approved 4/13)
- Consensus to allocate \$13,000 to Fire & Rescue in order to provide water for the Burn Building.
- Other possible uses as suggested by staff:
  - Restore Capital Reserve
  - Reserve for Animal Shelter

## **Eliminate Split Voting Precincts in Montgomery County**

Supervisor Tuck requested fellow Board members to consider sending either a letter or resolution to the Governor to urge him to re-consider his veto of House Bill 1417. Supervisor Tuck has spoken with Delegate Joseph Yost and determined that the changes to HB 1417 are only technical changes and will affect approximately 80 voters and save an estimated \$20,000. Supervisor Tuck believes that a resolution/letter explaining the requested changes are a local issue and not state wide would help clarify the matter.

The Board agreed to add a resolution to the agenda after work session to urge the Governor to reconsider his veto of House Bill 1417 and allow the proposed technical changes to House Districts 7, 8, and 12 in Montgomery County to go forward in an effort to avoid voter confusion and taxpayer expense by eliminating split precinct voting in Montgomery County.

## **MCPS Request for Capital Funds**

The County Administrator reported that Brenda Blackburn, Montgomery County School Superintendent, sent a letter requesting a one-time allocation of \$775,000 to be used for capital improvements for Montgomery County Schools as follows:

### **Provide a Building Capital Repair/Improvement Budget Line Item - \$275,000**

The \$275,000 request represents \$25,000 for a state grant match to address safety enhancements and \$250,000 for building repair and the roof maintenance plan. If approved by the Board of Supervisors, funds may be appropriated to the School Board budget or remain in a capital account maintained by the County Administration.

### **Technology Improvement Plan Budget Line - \$150,000**

In order to continue the improvement plan \$150,000 is requested to support continued improvements in hardware. The Schools have over 5,000 computers and associated technology valued over \$6 million. The future of instruction is tied to teacher and student access to and use of current technology. With a three to five year life cycle, it is critical that technology is maintained, updated, and replaced.

### **Replacement of Aging School Buses - \$350,000**

The requested amount of \$350,000 will provide the division with four replacement school buses. With a fleet of 125 buses and State guidelines for the use of a bus for twelve years on daily routes plus three years as a spare, the school division should replace 8 to 9 buses per year. During the 5 year period from 2011-2015 twenty-two buses have been purchased, an average of 4.4 per year.

The County Administrator stated if the Board of Supervisors approves this request then it would free up \$775,000 of funds in the School's operating budget to be used for other purposes. There still is a shortfall of \$1.49 million in the School's FY 16 Budget.

Supervisor Tuck commented that the Board of Supervisors has provided one-time funds over the past several years for purchase of school buses and technology improvements. He believes that the School Board needs to start budgeting money in their budget for these reoccurring costs. He also stated that School year-end funds that have been rolled-over in past years have not been used for maintenance but for other items and therefore the School Board keeps coming back every year requesting large amounts of money for maintenance items.

The Board discussed the School's request and agreed to provide \$156,249 to the School's Operating Fund from the new revenue received. A total of \$303,707 for school buses and technology improvements will be put into contingencies in order for the Board to discuss further.

### **OUT OF WORK SESSION**

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

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

The vote on the forgoing motion was as follows:

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

### **House Bill 1417 - Eliminate Split Voting Precincts**

Supervisor Tuck asked fellow Board members to consider a resolution urging the Governor to reconsider his veto of House Bill 1417 in order to eliminate split voting precincts in Montgomery County.

### **R-FY-15-107 RESOLUTION URGING THE GOVERNOR TO RECONSIDER HIS VETO OF HOUSE BILL 1417**

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

WHEREAS, By unanimous bipartisan support, the Board of Supervisors of the County of Montgomery, Virginia requested the General Assembly to consider eliminating split voting precincts in Montgomery County by making minor technical adjustments to House Districts 7, 8,

and 12 in Montgomery County, Virginia as a means to reduce potential voter confusion and save taxpayer dollars by reducing the number of ballots in the split precincts; and

WHEREAS, The Virginia General Assembly approved HB 1417 making minor technical changes to the Districts 7, 8, and 12 in Montgomery County in order to eliminate split voting precincts in Montgomery County; and

WHEREAS, The Governor of Virginia vetoed House Bill 1417 citing both the constitutional concerns with changing electoral districts outside the ten year redistricting cycle and the fear that House Bill 1417 would set a precedent of allowing the legislature to make substantive changes to electoral districts more frequently than once a decade which may interject partisanship into the redistricting process; and

WHEREAS, The purpose of House Bill 1417 is not to reapportion or make substantive changes to House Districts 7, 8 and 12 in Montgomery County but to make minor technical boundary changes by relocating a very small number of voters within these three House Districts in order to eliminate split precinct voting; and

WHEREAS, The Board of Supervisors requests that the Governor reconsider his veto of House Bill 1417 so that the proposed minor technical changes to House Districts 7, 8, and 12 can move forward in an effort to avoid voter confusion and the unnecessary expenditure of taxpayer dollars by eliminating split precinct voting in Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby urges the Governor to reconsider his veto of House Bill 1417 and allow the proposed technical changes to House Districts 7, 8, and 12 in Montgomery County to go forward in an effort to avoid voter confusion and taxpayer expense by eliminating split precinct voting in Montgomery County.

The vote on the forgoing resolution was as follows:

AYE

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

NAY

None

**NEW BUSINESS**

**R-FY-15-108**

**RESOLUTION AUTHORIZING APPROVAL OF THE FOURTH AMENDMENT  
TO THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE  
AND SALES AGREEMENT EXTENDING THE REVIEW PERIOD AND  
ESTABLISHING HOW THE PARTIES WILL SHARE IN  
FUNDING ROAD IMPROVEMENTS**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins 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, The parties have executed and entered into three previous amendments to the Agreement extending the review period; and

WHEREAS, Both the Purchaser and Seller desire to enter into a Fourth Amendment by agreeing on how the parties will share in funding the required road improvements to Prices Fork Road and by amending Section 7.1 of the Agreement extending the review period to June 1, 2015, at 5:00 p.m. in order to provide additional time for the parties to sort out what will be 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 Fourth Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement extending the review period to June 1, 2015, at 5:00 p.m. in order to provide additional time to finalize with VDOT what the required road improvements to Prices Fork Road will be to redevelop the Property and to establish how the parties intend to share in the funding of these road improvements.

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 Fourth Amendment on behalf of the Board of Supervisors.

The vote on the forgoing resolution was as follows:

AYE

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

NAY

None

**R-FY-15-109**  
**ALCOHOL SAFETY ACTION PROGRAM (ASAP)**  
**APPOINTMENT**

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 Board of Supervisors hereby reappoints **Mary Pettitt** to the **Alcohol Safety Action Program (New River Valley)** effective May 1, 2015 and expiring April 30, 2016.

The vote on the forgoing resolution was as follows:

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

Supervisor Tuck abstained from voting as he is the Chair to the Alcohol Safety Action Program and believed it would be a conflict of interest in voting to re-appoint a member.

**R-FY-15-110**  
**PROCLAMATION**  
**NATIONAL LIBRARY WEEK**  
**APRIL 12-18, 2015**

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

**WHEREAS**, Libraries create potential and possibilities within their communities, campuses and schools; and

**WHEREAS**, Libraries level the playing field for all who seek information and access to technologies; and

**WHEREAS**, Libraries continuously grow and evolve in how they provide for the needs of every member of their communities; and

**WHEREAS**, Libraries and librarians open up a world of possibilities through innovative STEAM programing, Makerspaces, job-seeking resources and the power of reading; and

**WHEREAS**, Librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

**WHEREAS**, Libraries support democracy and effect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identity or socio-economic status; and

**WHEREAS**, Libraries, including our libraries here in Montgomery County, librarians, library workers and supporters across America are celebrating *National Library Week*.

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of Supervisors of Montgomery County Virginia do hereby proclaim *National Library Week, April 12-18, 2015* and encourages all residents to visit their branch of the Montgomery-Floyd Regional Library this week to take advantage of the wonderful library resources available to them.

The vote on the forgoing resolution was as follows:

AYE

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

NAY

None

**R-FY-15-111  
PROCLAMATION  
NATIONAL VOLUNTEER WEEK  
APRIL 12-18, 2015**

On a motion by M. Todd King, seconded by Matthew R. Gabriele and carried unanimously,

**WHEREAS**, Established in 1974, National Volunteer Week has grown exponentially in scope each year since, drawing the support and endorsement of all subsequent U.S. presidents, governors, mayors and other respected elected officials; and

**WHEREAS**, National Volunteer Week is about inspiring, recognizing and encouraging people to seek out imaginative ways to engage in their communities; and

**WHEREAS**, The entire community can inspire, equip and mobilize people to take action that changes the world; and

**WHEREAS**, Volunteers can connect with local community service opportunities through hundreds of community service organizations like, RSVP, HandsOn Network affiliates and volunteer centers; and

**WHEREAS**, Individuals and communities are at the center of social change, discovering their power to make a difference; and

**WHEREAS**, During this week all over the nation, service projects will be performed and volunteers recognized for their commitment to service; and

**WHEREAS**, The giving of oneself in service to another empowers the giver and the recipient; and

**WHEREAS**, Experience teaches us that government by itself cannot solve all of our nation's social problems; and

**WHEREAS**, Our country's volunteer force of over 63 million is a great treasure; and

**WHEREAS**, Volunteers are vital to our future as a caring and productive nation.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of the County of Montgomery, Virginia here proclaims *National Volunteer Week, April 12-18, 2015* in Montgomery County, and urges their fellow citizens to volunteer in their communities, by volunteering and recognizing those who serve, we can come together to make a difference.

The vote on the forgoing resolution was as follows:

**AYE**

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

**NAY**

None

**R-FY-15-112  
PROCLAIM MAY 2015 AS  
OLDER AMERICANS MONTH**

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

**WHEREAS**, Montgomery County includes a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

**WHEREAS**, Montgomery County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

**WHEREAS**, Since 1965 the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life’s most basic functions, such as bathing or preparing meals; and

**WHEREAS**, These programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults, and adapt services to the needs of Native American elders; and

**WHEREAS**, We recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

**WHEREAS**, Our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion.
- Emphasizing home-and-community-based services that support independent living.
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors does hereby proclaim **May 2015** to be **Older Americans Month**, and urge every citizen to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

The vote on the forgoing resolution was as follows:

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

**R-FY-15-113**  
**PROCLAIM MAY 2-10, 2015 AS NATIONAL**  
**TRAVEL AND TOURISM WEEK**

On a motion by M. Todd King, seconded by Matthew R. Gabriele and carried unanimously,

**WHEREAS**, Travel has a positive effect on Virginia and the nation's economic prosperity and image abroad, it also impacts business productivity and to individual travelers' well-being; and

**WHEREAS**, Travel to and within the United States provides significant economic benefits for the nation, generating more than \$2.1 trillion in economic output in 2014, with \$927.9 billion spent directly by travelers; and

**WHEREAS**, Travel is among the largest private-sector employers in the United States, supporting 15 million jobs in 2014, including 8 million directly in the travel industry and 7 million in other industries; and

**WHEREAS**, Travelers' spending directly generated tax revenues of \$141.5 billion for federal, state and local governments, funds used to support essential services and programs; and

**WHEREAS**, The Virginia Tourism Corporation reported that travelers' spending in Montgomery County, Virginia in 2013 (the most recent full year report), reached \$132.6 million generating combined state and local tax revenues of \$7.9 million and producing 1320 local tourism-supported jobs; and

**WHEREAS**, International travel to the United States is the nation's No. 1 services export; in 2014 travel generated \$220.6 billion in exports, creating a \$74 billion trade surplus for the United States; and

**WHEREAS**, Meetings, events and incentive travel are core business functions that help companies strengthen business performance, educate employees and customers and reward business accomplishments – which in turn boosts economy; and

**WHEREAS**, Leisure travel, which accounts for more than three-quarters of all trips taken in the United States, spurs countless benefits to travelers' health and wellness, creativity, cultural awareness, education, happiness, productivity and relationships; and

**WHEREAS**, Travel is a pillar of economic growth, creating jobs at a faster rate than other sectors.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of Montgomery County, Virginia does hereby proclaim *May 2-10, 2015* as *National Travel and Tourism Week in Montgomery County* and urges the citizens of Montgomery County to join in this special observance with appropriate events and commemorations.

The vote on the forgoing resolution was as follows:

AYE

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

NAY

None

**COUNTY ADMINISTRATOR'S REPORT**

The County Administrator reported on the following item:

- State Board of Elections – Decertification of WIN Voting Machines  
The County is waiting on a decision by the State Board of Elections on whether they are going to decertify the WIN Voting Machines. If the voting machines are decertified then the machines can no longer be used for elections. The WIN Voting Machines are what is used in Montgomery County.

**BOARD MEMBERS REPORTS**

**Supervisor Biggs** reported that a meeting was held with Penny Franklin and Andy Morikawa with Human Relations Council to discuss the re-creation of the Human Relations Council in Montgomery County.

**Supervisor Tuck** in part of National Volunteer Week he wanted to thank all volunteers in the County for volunteering. He thanked Supervisor King for his service as a volunteer with the Riner Volunteer Fire Department.

**ADJOURNMENT**

The Chair declared the meeting adjourned to April 20, 2015 at 7:15 p.m. The meeting adjourned at 10:15 p.m.

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