

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13th DAY OF JULY, 2015 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Gary D. Creed	-Supervisors
	Matthew R. Gabriele (arrived 6:20 p.m.)	
	M. Todd King	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Emily Gibson	-Planning Director
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

ABSENT:	Mary W. Biggs	-Vice Chair
	Annette S. Perkins	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

ADDENDUM - CLOSED MEETING AGENDA

On a motion by Christopher A. Tuck, seconded by M. Todd King and carried unanimously, the following addendum dated July 13, 2015 amends the Closed Meeting Agenda:

Add to Close Meeting:

Section 2.2-3711 (5) Discussion Concerning a Prospective Business or 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. 2015-015

Remove from Close Meeting:

- Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

3. Personnel

The vote on the forgoing motion was as follows:

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

INTO CLOSED MEETING

On a motion by Christopher A. Tuck, seconded by M. Todd King 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 or 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. 2015-015

- (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. InMotion USA
2. Old Sourwood Road

(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

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Adjustment and Appeals Board
2. Library Board

The vote on the forgoing motion was as follows:

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

Supervisor Gabriele arrived at 6:20 p.m.

OUT OF CLOSED MEETING

On a motion by M. Todd King, seconded by Matthew R. Gabriele 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	Mary W. Biggs
Christopher A. Tuck		Annette S. Perkins
Matthew R. Gabriele		
Gary D. Creed		
William H. Brown		

CERTIFICATION OF CLOSED MEETING

On a motion by M. Todd King, 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

Christopher A. Tuck
Matthew R. Gabriele (arrived at 6:20 p.m., certified for time present)
Gary D. Creed
M. Todd King
William H. Brown

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

Mary W. Biggs
Annette S. Perkins

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARING

Vacating a Portion of First Street – Radford Heights Subdivision

An Ordinance Vacating, Subject to the Reservation of a Thirty Foot (30’) Wide Public Utility Easement, a Portion of First Street an Unimproved Right- of- Way located in the Radford Heights Subdivision Recorded in Deed Book 126, Page 427 in the Montgomery County Circuit Court Clerk’s Office in the Riner Magisterial District Plum Creek Section of Montgomery County Virginia.

The County Attorney provided a brief summary on the proposed request. The applicant has requested to vacate the unimproved right-of-way that adjoins three lots all located in the Radford Heights Subdivision. The right-of-way was intended for a future road when the lots were created in the 1940’s. According to VDOT there is no longer a need for a public road in this area and supports the vacation of the right-of-way.

Brian Rice, agent, stated that the property owner is limited with what can be done with the lots due to the unimproved right-of-way. By vacating the unimproved right-of-way will provide them with better options of use.

There being no speakers, the public hearing was closed.

ADDENDUM

On a motion by Christopher A. Tuck, seconded by M. Todd King and carried unanimously, the following was added to New Business:

Ordinance – Vacating a Portion of First Street – Radford Heights Subdivision

The vote on the forgoing motion was as follows:

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

PUBLIC ADDRESS

Steve Carter spoke in opposition to the rezoning request by Gary and Linda Creed that is listed on the agenda under Old Business. Mr. Carter understands Mr. Creed’s request; however, he believes it is not beneficial to the neighborhood. He stated the proposed lot sizes are too small and home values will not increase, therefore lowering the surrounding property values. Mr. Carter stated he is not against development but the development needs to keep in character with the neighborhood.

Mike Sanborn spoke in opposition to the Creed rezoning. Mr. Sanborn believes there are too many unanswered questions as to what can be built on the property. He also expressed concerns with the lack of an access road to the site. He stated Crozier Road already is impacted with heavy traffic before and after school and during school activities. Mr. Sanborn requested the Board to table the request until all issues have been resolved.

Carl Zipper addressed the Board regarding the Mountain Valley Pipeline. Mr. Zipper expressed his appreciation to the Board for all they have done to date and understands the Board has limited power. He encouraged the Board to join with other localities in order to have a uniform voice and to invoke more power. Mr. Zipper also expressed his concerns with the proposed compressor station that may be constructed in Montgomery County. He urged the Board to consider reviewing the County's code regarding light and noise pollution.

Lois Sanborn asked if Supervisor Creed will have to excuse himself from voting on his rezoning request.

Phillip Sheppard expressed concern about Supervisor Creed's request to rezone property located on Crozier Road. Mr. Sheppard stated that Crozier Road has heavy traffic and safety concerns during after school activities with children walking from the school to the baseball field.

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously, the Consent Agenda dated July 8, 2015 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously, the minutes dated March 30 and April 9, 2015 were approved.

Appropriations and Transfers

**A-FY-16-02
COMPENSATION BOARD
BUDGET RECONCILIATION**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

<u>Revenue Account</u>		
423100	Shared Expenses	\$11,832
451203	Undesignated Fund Balance	<u>(\$11,832)</u>
	Total Revenue	\$ 0

Said resolution adjusts revenue estimates for constitutional officers for FY 16 based on the approved FY 16 Compensation Board budgets.

**A-FY-16-03
COUNTY CAPITAL PROJECT
FROG POND REFURBISHMENT**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

570120	Transfer to County Capital Projects	\$250,000
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The source of funds for the foregoing appropriation is as follows:

451500	Undesignated Fund Balance	\$250,000
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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, 2016 for the function and in the amount as follows:

700	Frog Pond	\$250,000
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The source of funds for the foregoing appropriation is as follows:

451020	Transfer from General Fund	\$250,000
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Said resolution appropriates funds from undesignated fund balance to the County Capital projects Fund for renovations to the County's outdoor pool.

A-FY-16-04
NEW RIVER VALLEY EMERGENCY
COMMUNICATIONS REGIONAL AUTHORITY

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

110	NRV Emergency Communications Regional Authority	\$330,326
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$330,326

Said resolution appropriates funds to cover the NRV Emergency Communications Regional Authority's personnel costs.

A-FY-16-05
GOVERNOR'S OPPORTUNITY FUNDS
HUBBELL LIGHTING EXPANSION

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

810	Economic Development	\$100,000
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The source of funds for the foregoing appropriation is as follows:

424500	Governor's Opportunity Funds	\$100,000
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Said resolution appropriates the Governor's Opportunity Fund proceeds for payment to Hubbell Lighting.

A-FY-16-06
LINE OF DUTY RESERVE

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The state previously covered the cost of line of duty benefits; and

WHEREAS, The state decided it would now be the responsibility of the locality to pay for these expenses starting in fiscal year 2012; and

WHEREAS, The Board of Supervisors established a Line of Duty Reserve in FY 12; and

WHEREAS, \$34,331 in additional dollars can be added to the reserve from the FY 15 line of duty balances.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Line of Duty Reserve be increased by \$34,331 to pay for future line of duty program costs for a total balance of \$131,254.

A-FY-16-07
TECHNOLOGY RESERVE

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The Board of Supervisors approved the establishment of a Technology Reserve on October 11, 2005; and

WHEREAS, \$180,359 additional dollars can be added to the reserve from the Information Technology's 2015 vacancy savings; and

WHEREAS, The actual cost and timeframe for implementation of some technology projects has not yet been established.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Technology Reserve be increased from \$106,785 to \$287,144 to cover the future costs of technology projects.

A-FY-16-08
RE-APPROPRIATION OF GRANTS

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

111	Emergency Services Grants	\$611,677
143	Customer Premises Equipment Grants	\$24,773
251	Technology Trust Fund	\$12,667
321	Selective Traffic Enforcement	
	Alcohol	\$6,066
	Occupant Protection	\$2,232
	Speed	\$4,296
	DARE Program	\$2,399
	Project Lifesaver	\$5,104
	Byrne Justice	\$1,791
	Asset Forfeiture Grant	\$1,847
	Non-lethal Equipment	\$543
331	Fire Programs	\$14,295
710	Library Gates Grant	\$40,627
721	Floyd Library Gates Grant	\$12,602
800	Public Safety Answering Point	\$3,821
	Safe Routes to Schools	\$489,610
911	Huckleberry Trail VDOT Grant – Christiansburg	<u>\$208,003</u>
	Total	\$1,442,353

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

Revenue:

020-422401	State Grants	\$1,379,622
02-451205	Designated Fund Balance	<u>\$62,731</u>
	Total	\$1,442,353

Said resolution re-appropriates available account balances of grants as of June 30, 2015.

A-FY-16-09
FY 15 CARRYOVER OF EARMARKED DOLLARS

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016 for the function and in the amount as follows:

152	Commissioner of Revenue	\$12,800
200	Commonwealth Attorney	\$52,836
320	Sheriff – County Range	\$80,182
321	Sheriff – Asset Forfeiture	\$20,550
520	RSVP	\$13,322
700	Parks and Recreation	\$10,102

710	Library	\$43,683
720	Floyd Library	\$43,574
800	Planning and GIS	\$13,035
	Conservation Easements	<u>\$50,538</u>
	Total	\$340,622

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

<u>Revenue Account</u>		
451501	Designated Fund Balance	\$340,622

Said resolution re-appropriates FY 15 funds from donations, fundraising, scholarships, federal forfeited assets, and other dollars earmarked for specific purposes that were not expended before year-end.

A-FY-16-10
RE-APPROPRIATION OF
COUNTY ENCUMBRANCES

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

100	Board of Supervisors	\$2,118
110	County Administration	\$24,356
111	Emergency Services Grants	\$2,011
140	Information Technology	\$332,576
152	Assessment	\$5,250
180	Internal Services	\$4,247
320	Sheriff – County	\$289,271
321	Sheriff’s Grants	\$7,600
400	General Services	\$91,056
420	Engineering and Regulatory Compliance	\$91,139
540	Social Services	\$8,500
700	Parks and Recreation	\$14,041
710	Library	\$82,571
720	Floyd Library	\$7,378
800	Planning and GIS	<u>\$36,582</u>
	Total	\$998,696

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

Revenue Account

451501 Designated General Fund Balance \$998,696

Said resolution re-appropriates monies supporting the balances of outstanding purchase orders as of June 30, 2015.

**A-FY-16-11
RE-APPROPRIATION OF
COUNTY CAPITAL PROJECTS ENCUMBRANCES**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

110	Courthouse	\$13,013
110	Government Center	\$3,059
320	Public Safety Building	\$1,493,449
330	Fire and Rescue	\$680,851
400	Animal Care and Adoption Center	<u>\$208,979</u>
	Total	\$2,399,351

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

Revenue Account

451501 Designated County Capital Projects Fund Balance \$2,399,351

Said resolution re-appropriates monies supporting purchase orders that are open in the County Capital Projects fund as of June 30, 2015.

**A-FY-16-12
RE-APPROPRIATION OF
COUNTY CAPITAL PROJECTS**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

110	Government Center	\$582,934
	Courthouse Renovation	\$96,811
142	Munis Document Management	\$2,975
320	Public Safety Building	\$143,244

330	Fire and Rescue Reserve	\$29,367
400	Animal Care and Adoption Center	\$3,887,649
	Elliston Bridge	\$22,036
	Consolidated Sites	\$122,499
700	Park Revitalization	\$62,394
800	GIS	\$16,115
	Topo Maps	\$14,786
900	Future Projects	<u>\$2,000,000</u>
	Total	\$6,980,810

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

Revenue Accounts:

451501	Designated Fund Balance	\$6,980,810
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Said resolution re-appropriates remaining account balances of capital projects.

**A-FY-16-13
RE-APPROPRIATION OF
SCHOOL CAPITAL PROJECTS**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Capital Projects Fund was granted an appropriation in addition to the annual appropriation for fiscal year ending June 30, 2016 for the function and in the amount as follow:

600	Capital Projects Fund - Schools	\$8,716,576
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

451501	Capital Projects Fund Balance	\$8,716,576
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Said resolution re-appropriates remaining account balances of School Capital projects. These balances exclude encumbrances which will be re-appropriated through a second resolution.

A-FY-16-14
SCHOOL OPERATING FUND
YEAR-END ENCUMBRANCE CARRYOVER

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

570090	Transfer to School Operating Fund	\$1,517,666
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The source of funds for the foregoing appropriation is as follows:

451500	Undesignated Fund Balance	\$1,517,666
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BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

<u>School Operating</u>		
Instruction		\$ 92,602
Admin, Attend, & Health		\$ 20,590
Transportation		\$ 90,328
Operation and Maintenance		<u>\$1,314,146</u>
	Total Funds	\$1,517,666

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

<u>Revenue Account:</u>		
451020	Transfer from General Fund	\$1,517,666

Said resolution re-appropriates monies supporting outstanding purchase order balances for the schools.

A-FY-16-15
RE-APPROPRIATION OF
FIRE AND RESCUE PROJECTS

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

330	Fire and Rescue	\$75,980
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
451501 Designated Fund Balance	\$75,980

Said resolution appropriates funds remaining at year end for use by Fire and Rescue Departments in FY 16.

A-FY-16-16
TRANSFER FIRE AND RESCUE CAPITAL RESERVE
TO BLACKSBURG FIRE DEPARTMENT

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation within the County Capital Projects Fund is hereby authorized, as follows:

<u>FROM:</u>	
123301 Fire and Rescue Capital Reserve	(\$730,000)

<u>TO:</u>	
123301BB Blacksburg Fire Department	\$730,000

Said resolution transfers appropriated funds as approved by the Fire and Rescue Commission to a project account for the purchase of a fire truck for the Blacksburg Fire Department.

A-FY-16-17
FLOYD LIBRARY
FY 16 BUDGET APPROPRIATION

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016 for the function and in the amount as follows:

720 Floyd Library	\$65,362
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The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
415211 Sale of Copies	\$ 5,000
416156 Floyd County Reimbursement	\$ 8,159
416157 Town of Floyd Contribution	\$ 5,000
416151 Fines and Fees	\$12,000
424409 State Library Grant	<u>\$35,203</u>
Total	\$65,362

Said resolution appropriates operating funds for the Floyd Library for FY 16.

**A-FY-16-18
FLOYD LIBRARY
CARRYOVER FY 15 YEAR-END BALANCE**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016 for the function and in the amount as follows:

720	Floyd Library	\$15,120
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
451501 Designated Fund Balance	\$15,120

Said resolution re-appropriates FY 15 Floyd Library funds that were not expended before year-end 2015.

**A-FY-16-19
GENERAL SERVICES
SUPPLEMENTAL APPROPRIATION
REPAIRS TO THE CHRISTIANSBURG LIBRARY**

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed 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, 2016, for the function and in the amount as follows:

400	General Services	\$15,000
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451500 Undesignated Fund Balance \$15,000

Said resolution appropriates one- time funds to General Services to repair drainage issues at the Christiansburg Library.

INTO WORK SESSION - REMOVED FROM THE AGENDA

The County Administrator requested the work session to discuss the 100 West Main Street Development in Christiansburg be removed from the agenda due to updated information not received yet. This item will be deferred to a future agenda.

OLD BUSINESS

Supervisor Creed excused himself from discussion of his rezoning request.

ORD-FY-16-01

**AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 2.42 ACRES FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-3) IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C) LOCATED AT THE NORTHEAST CORNER OF THE ROANOKE ROAD (ROUTE 11/460) AND CROZIER ROAD (ROUTE 833) INTERSECTION. IDENTIFIED FURTHER AS TAX PARCELS NO. 059-2-1C, 1D, PARCEL ID. NUMBERS 035191 AND 200068
GARY AND LINDA CREED**

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning request is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 2.42 acres from Agricultural (A-1) to Residential (R-3), to allow residential development with the following proffered conditions:

1. The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available.

2. If the property is developed such that onsite stormwater management or common open space is provided to benefit the project, a homeowners association will be established to permanently maintain these common elements. Documentation establishing the Homeowners Association and any associated bylaws and covenants and restrictions shall be reviewed and approved by the County Attorney.
3. Any subdivided lots must front on a newly created, publically maintained road with a single entrance on State Route 833, Crozier Road. Any new subdivision roads and/or entrances must be approved by the Virginia Department of Transportation prior to any site plan approval or subdivision plat approval.
4. There shall be no more than seven (7) single family residential lots developed on the subject parcels.

The subject parcel is located at the intersection of Roanoke Road (US Route 11/460) and Crozier Road (SR 833) and identified as Tax Parcels No. 059-2-1C, 1D, (Parcel ID Nos. 035191 and 200068) in the Shawsville Magisterial District (District C).

The property lies in an area designated as Village Expansion in the Comprehensive Plan and Medium Density Residential in the Elliston/Lafayette Village Plan.

This action was commenced upon the application of owners Gary and Linda Creed (Agent: Balzer & Associates).

The vote on the foregoing ordinance was as follows:

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

**R-FY-16-01
RESOLUTION ESTABLISHING COMPENSATION FOR BOARD MEMBERS
OF THE MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY**

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

WHEREAS, Board Member compensation for the Montgomery County Public Service Authority (the "Authority") is currently Fifty Dollars (\$50.00) per month for Board Members and One Hundred Fifty Dollars (\$150.00) per month for Chair and Seventy-Five Dollars (\$75.00) per month for Vice-Chair or Secretary; and

WHEREAS, The compensation for the Authority was established on April 9, 1974 and has not changed; and

WHEREAS, Other similar Authorities in the New River Valley such as the NRV Regional Water Authority, the Montgomery Regional Solid Waste Authority and the Blacksburg-VPI Sanitation Authority pay their Board Members Three Hundred Fifty Dollars (\$350.00) per month; and

WHEREAS, The Board of Supervisors desires to bring the compensation for serving on the Authority in line with the compensation for serving on similar regional authorities in the New River Valley.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that pursuant to Section 15.2-5113 of the Code of Virginia, 1950, as amended, the Board of Supervisors hereby agrees to fix the compensation for Board Members of the Montgomery County Public Service Authority at Three Hundred Fifty Dollars (\$350.00) per month with the Chairman getting Four Hundred Dollars (\$400.00) per month effective August 1, 2015.

The vote on the foregoing resolution was as follows:

AYE

Gary D. Creed
M. Todd King
William H. Brown

NAY

Matthew R. Gabriele
Christopher A. Tuck

ABSENT

Mary W. Biggs
Annette S. Perkins

ORD-FY-16-02

**AN ORDINANCE VACATING, SUBJECT TO THE RESERVATION
OF A THIRTY FOOT (30') WIDE PUBLIC UTILITY EASEMENT,
A PORTION OF FIRST STREET AN UNIMPROVED RIGHT OF WAY
LOCATED IN THE RADFORD HEIGHTS SUBDIVISION RECORDED
IN DEED BOOK 126 AT PAGE 427 IN THE MONTGOMERY COUNTY
CIRCUIT COURT CLERKS OFFICE IN THE RINER MAGISTERIAL DISTRICT
PLUM CREEK SECTION OF MONTGOMERY COUNTY VIRGINIA**

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

WHEREAS, Jan A. Stocki and Dapne S. Hearne, have requested the Montgomery County Board of Supervisors to vacate the portion of First Street an unimproved right-of-way that adjoins their three lots all located in the Radford Heights Subdivision recorded in Deed Book 126, at page 427, in the Montgomery County Circuit Court Clerk's Office as shown more particularly on the Plat entitled "PLAT SHOWING THE PROPERTY OF JAN A. STOCKI AND DAPNE S. HEARNE, ET AL AND VACATION OF A PORTION OF FIRST STREET RIGHT-OF-WAY" dated May 18, 2015, plat prepared by Balzer and Associates, Inc. ("the Plat"); and

WHEREAS, Section 15.2-2272 of the Code of Virginia, as amended, provides that the Board of Supervisors may vacate a portion of a plat after sale of a lot by Ordinance; and

WHEREAS, A duly advertised public hearing on this Ordinance was held by the Board of Supervisors on July 13, 2015.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors in accordance with Section 15.2-2272 of the Code of Virginia, as amended, hereby approves of the vacation of a portion of First Street an unimproved right-of-way located in the Radford Heights Subdivision recorded in Deed Book 126, page 427 in the Montgomery County Circuit Court Clerk's Office subject to the County of Montgomery, Virginia reserving a thirty-foot (30') wide public utility easement within the vacated portion of First Street as shown more particularly on the Plat entitled "PLAT SHOWING THE PROPERTY OF JAN A. STOCKI AND DAPNE S. HEARNE, ET AL AND VACATION OF A PORTION OF FIRST STREET RIGHT-OF-WAY" dated May 18, 2015, plat prepared by Balzer and Associates, Inc."

BE IT FURTHER ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes William H. Brown, Chair, to sign the Plat on behalf of the County of Montgomery, Virginia.

This Ordinance shall take effect upon adoption.

The vote on the forgoing ordinance was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following items:

- The Daughters of the American Revolution (DAR) and VFW Post 776 have requested VDOT and Montgomery County to commemorate Route 177 from the Interstate 81 Exit 108 to Rock Road as "Vietnam Veterans Memorial Highway". The County Administrator reported that the City of Radford indicated they have no objections to the request.

Board members stated that they have objections to designating the portion of road as a memorial for veterans; however, they believe they should recognize all veterans of the military not just Vietnam Veterans. They asked the County Administrator to communicate back with the Daughters of American Revolution to see if they would agree to Veterans Memorial Highway in order to include all veterans.

BOARD MEMBERS REPORTS

Supervisor Tuck reported he attended an anti-pipeline informational meeting on the proposed Mountain Valley Pipeline. The group requested he bring back two suggestions to the Board of Supervisors: 1) Schedule a meeting with other Boards of Supervisors from Craig, Giles and Roanoke in order to discuss the pipeline; 2) Review the County's ordinance in regards to noise and light pollution that the pipeline may create, especially if a compressor station is located in Montgomery County.

Supervisor Tuck stated that it may be worthwhile to meet with the other localities. In regards to changing the County's code to reflect any light or noise pollution from the pipeline, he wants to make sure it does not restrict farmers in their work.

Supervisor Brown reported the County Administrator has already communicated with other Administrators in the Counties of Craig, Roanoke, and Giles. He does not believe a meeting would be beneficial when there is no specific agenda.

Supervisor Tuck asked if there was Board consensus to request the County Attorney to review the County's Code related to noise and light pollution.

By consensus, the Board requested the County Attorney to review the County's Code as it relates to noise and light pollution that may be created by a pipeline.

ADJOURNMENT

The Chair declared the meeting adjourned to July 27, 2015 at 6:00 p.m. The meeting adjourned at 8:00p.m.

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