

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 21ST DAY OF MARCH, 2016 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Christopher A. Tuck	-Chair
	Gary D. Creed	-Vice Chair
	Mary W. Biggs	-Supervisors
	April N. DeMotts	
	M. Todd King	
	Annette S. Perkins (arrived 6:45 p.m.)	
	Darrell O. Sheppard	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

ADDENDUM TO CLOSED MEETING

On a motion by M. Todd King, seconded by April N. DeMotts and carried unanimously, the following addendum dated March 21, 2016 was added to Closed Meeting:

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

3. Riner Public Safety Site

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
Darrell O. Sheppard	None	Annette S. Perkins
April N. DeMotts		
Mary W. Biggs		
Gary D. Creed		
M. Todd King		
Christopher A. Tuck		

INTO CLOSED MEETING

On a motion by Darrell O. Sheppard, 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 (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 Blacksburg High School Property
 3. Riner Public Safety Site

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT DURING VOTE</u>
M. Todd King	None	Annette S. Perkins
Gary D. Creed		
Mary W. Biggs		
April N. DeMotts		
Darrell O. Sheppard		
Christopher A. Tuck		

Supervisor Perkins arrived at 6:45 p.m.

OUT OF CLOSED MEETING

On a motion by M. Todd King, seconded by Darrell O. Sheppard 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:

AYE

Annette S. Perkins
Gary D. Creed
Mary W. Biggs
April N. DeMotts
Darrell O. Sheppard
M. Todd King
Christopher A. Tuck

NAY

None

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Darrell O. Sheppard 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

Gary D. Creed
Mary W. Biggs
April N. DeMotts (excused herself from discussion regarding the Former BMS Property)
Darrell O. Sheppard
M. Todd King
Annette S. Perkins (for the time present)
Christopher A. Tuck

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

Supervisor DeMotts made the following statement:

Pursuant to the Virginia Conflict of Interest Act, I, April DeMotts, a member of the Board of Supervisors of the County of Montgomery, Virginia, make the following disclosure:

1. The Board of Supervisors is currently considering proposals that were received in response to the Request for Proposals the Board issued seeking an interested Purchaser of the Old Blacksburg Middle School property. The names of the bidders who submitted proposals in response to the Board RFP have not been released to the public because the Board is still in the process of considering the proposals and has not selected an offeror.
2. I am currently in a long term relationship with a man (I am not married so I will refer to him as "my significant other") whom I reside with along with our children, and I share with him in the day to day household finances.
3. My significant other owns a small business in Montgomery County and has a personal interest in the Old Blacksburg Middle School Property RFP transaction being considered by the Board due to having an on-going business relationship with one of the business entities that has submitted a proposal to purchase the Old Blacksburg Middle School. My Significant other may realize a reasonable foreseeable direct or indirect economic benefit should the business he has an on-going business relationship with acquire the property from Board of Supervisors and develop the property.
4. I wanted to be clear in my disclosure that my significant other does not meet the definition of immediate family as that term is currently defined under the Virginia Conflict of interest Act. However, with the exception of having a marriage license, our relationship is very much like a married couple in that we share a home together, share in the finances and in the raising of our children.
5. Because my significant other has a business relationship with one of the entities bidding on the Old Blacksburg Middle School Property and in order to avoid any appearance of impropriety on my behalf, I will be abstaining from voting on the selection of bidders seeking to purchase the Old Blacksburg Middle School Property at this time and will not be participating in the Old Blacksburg Middle School RFP process currently before the Board.

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Darrell O. Sheppard and carried unanimously,

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

- 1. FY 2017 Proposed Budget

The vote on the following motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
April N. DeMotts	
Darrell O. Sheppard	
M. Todd King	
Annette S. Perkins	
Gary D. Creed	
Christopher A. Tuck	

FY 17 Proposed Budget

Carol Edmonds, Deputy County Administrator, provided an update on the FY 17 Proposed Budget. A resolution to consider an Advertised Budget is included on the agenda later in the meeting. Changes from the proposed budget to the advertised budget includes the following:

- 1. Add \$5,000 for the Children’s Trust.
- 2. Add \$13,443 to increase the daily rate paid to the Officers of Election
- 3. Reduce (\$18,443) for Workers Compensation due to a reduction in the premium rate.

Ms. Edmonds also presented information on the following:

- 1. General District Court and J& D Court Compensation Supplement Request
- 2. County Undesignated Revenue
- 3. Constitutional Officer’s Salary

General District Court and Juvenile & Domestic Relations Court Clerks Compensation Supplement Request:

The General District Court and J&D Court Clerks requested the Board consider a 15% salary supplement to the Clerk and employees. Staff polled Virginia localities on whether they provided a supplement for the General District Court and J&D Court as follows:

Localities providing 15% supplements:

- Arlington
- Alexandria
- Falls Church

Localities providing flat rate supplements (Single one-time payment of \$1,500 proposed FY 17 payment of \$3,000):

- Roanoke City
- Roanoke County
- City of Salem
- Buena Vista (\$2,500 per year for the GD clerk and \$1,300 for a deputy clerk)

Localities that DO NOT supplement but have requests to supplement:

- Loudoun
- Prince William
- Stafford
- Chesapeake
- Fairfax

Undesignated Revenue:

Undesignated Revenue totals \$103.2 million in the FY 2017 Proposed Budget. 78% of the revenue not designated for a specific purpose comes from real estate and personal property taxes. The growth from all undesignated revenue sources for FY17 funds 42% of the requests. Neither County departments nor schools were fully funded in the FY 17 Proposed Budget.

Ms. Edmonds provided a chart showing the real estate tax rate and personal property tax rate for localities with comparable population and neighboring localities. Another chart was provided showing the additional revenue the County would receive if the real estate and personal property tax rates were the same as these localities, as shown below:

TAX RATES

	Real Estate	Pers. Property
Alexandria	\$1.043	\$5.00
Arlington	\$0.996	\$5.00
Falls Church-current	\$1.315	\$4.84
Falls Church-proposed	\$1.340	\$5.00
Roanoke City	\$1.220	\$3.45
Salem City	\$1.180	\$3.25
Roanoke County	\$1.090	\$3.50
Buena Vista	\$1.070	\$5.85
Montgomery	\$0.890	\$2.55

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TAX RATE COMPARISON

	Rate	Added \$'s from Rate Increase
Real Estate Rates		
Lowest rate	\$0.996	\$8.2 million
Highest rate	\$1.34	\$33.7 million
Personal Property		
Lowest rate	\$3.25	\$4.6 million
Highest rate	\$5.85	\$21.5 million

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Constitutional Officers

Ms. Edmonds provided information on the state salary and county supplement for the Constitutional Officers. It was noted that when the County's population exceeds 100,000, the Constitutional Officers are placed in a new salary bracket. It is estimated that Montgomery County will reach a population of 100,000 in the next 3-4 years. Charts outlining the salary information is shown below:

	Annual Salary as of 3/1/16	State Compensation Board Approved Salary	County Supplement	State Compensation Board Approved Salary for Population of 100,000 - 174,999 - Current	State Compensation Board Approved Salary for Population of 100,000 - 174,999 with 2% Increase Proposed for 2017 (12/1/16)
Clerk of Circuit Court	\$ 123,775	\$ 123,775	\$ -	\$ 134,780	\$ 137,476
Commissioner of Revenue	\$ 102,745	\$ 93,429	\$ 9,316	\$ 103,807	\$ 105,883
Commonwealth Attorney*	\$ 135,449	\$ 132,793	\$ 2,656	\$ 137,774	\$ 140,529
Sheriff	\$ 113,508	\$ 103,850	\$ 9,658	\$ 115,391	\$ 117,699
Treasurer	\$ 111,243	\$ 93,429	\$ 17,814	\$ 103,807	\$ 105,883
Total	\$ 586,720	\$ 547,276	\$ 39,444		

* Population bracket for the Commonwealth Attorney is 100,000-249,999

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DETERMINATION OF POPULATION

HOW DOES THE COMPENSATION BOARD DETERMINE THE POPULATION FOR SETTING THE SALARIES FOR CONSTITUTIONAL OFFICERS?

ANNUALLY, THE COMPENSATION BOARD CHECKS THE WELDON COOPER CENTER AND THE CENSUS POPULATION ESTIMATES. (THE WELDON COOPER CENTER FOR PUBLIC SERVICE AT THE UNIVERSITY OF VIRGINIA.)

IF THE CENTER OR THE CENSUS ESTIMATE EXCEEDS THE 100,000 THRESHOLD, THE CONSTITUTIONAL OFFICER IS PLACED IN THE NEW SALARY BRACKET.

THE ADDITIONAL RESOURCES ARE BUDGETED BY THE COMPENSATION BOARD IN THE BASE AT THE STATE AND THE INCREASE IS BUILT INTO THE FOLLOWING YEAR BUDGET. THIS HAPPENS AUTOMATICALLY.

THE ESTIMATE THAT THE COMPENSATION BOARD IS USING FOR FY 17 IS 98,121.

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OPTIONS

- 1. NO CHANGE- ELECTED CONSTITUTIONAL OFFICERS REMAIN ON THE COUNTY'S CLASSIFICATION AND COMPENSATION PLAN.**
- 2. REMOVE THE ELECTED CONSTITUTIONAL OFFICERS FROM THE COUNTY'S CLASSIFICATION AND COMPENSATION PLAN. (LEAVE AT CURRENT SALARY OR REMOVE SUPPLEMENT) BOARD MAY DECIDE TO INCREASE COMPENSATION FOR OFFICERS ABOVE COMPENSATION BOARD REQUIRED AMOUNTS DURING THE BUDGET.**
- 3. REMOVE THE ELECTED CONSTITUTIONAL OFFICERS FROM THE CLASSIFICATION AND COMPENSATION PLAN. PLACE A CAP ON THE SALARY AMOUNT OF THE CURRENT ELECTED OFFICERS. AS NEW OFFICERS ARE ELECTED, PAY WOULD BE SET AT COMPENSATION BOARD REQUIRED AMOUNTS, AND NO SUPPLEMENTS WOULD BE PROVIDED FOR NEWLY ELECTED OFFICERS.**

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The Board discussed the information that was provided and the FY 2017 Proposed Budget in general. The Board directed staff to add to the County's 2017 Legislative Priorities an item to support an increase in salary for the state court employees. Staff was also directed to schedule a work session with the Constitutional Officers to discuss compensation and supplemental pay to the Constitutional Officers.

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Darrell O. Sheppard and carried unanimously,

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

The vote on the following motion was as follows:

<u>AYE</u>	<u>NAY</u>
April N. DeMotts	None
Darrell O. Sheppard	
M. Todd King	
Annette S. Perkins	
Gary D. Creed	
Mary W. Biggs	
Christopher A. Tuck	

NEW BUSINESS

R-FY-16-102 RESOLUTION ESTABLISHING AN ADVERTISED REAL ESTATE TAX RATE AND ADVERTISED FY 2016-2017 BUDGET

On a motion by Annette S. Perkins, 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 authorizes the County Administrator to advertise a Real Estate tax rate of **89 cents** per \$100 of assessed valuation of real estate based on 100% of fair market value.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia, hereby authorizes the County Administrator to advertise a Fiscal Year 2016-2017 Budget in the amount of **\$ 182,106,061**.

The vote on the foregoing resolution was as follows:

AYE

Darrell O. Sheppard
M. Todd King
Annette S. Perkins
Gary D. Creed
Mary W. Biggs
April N. DeMotts
Christopher A. Tuck

NAY

None

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, March 28, 2016 at 6:00 p.m. The meeting adjourned at 8:40 p.m.

APPROVED _____

Christopher A. Tuck
Chair

ATTEST: _____

F. Craig Meadows
County Administrator