

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13th DAY OF JUNE, 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	
	Darrell O. Sheppard	
	F. Craig Meadows	-County Administrator
	Martin M. McMahon	-County Attorney
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Gary D. Creed, seconded by April N. DeMotts 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 High School Property

(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. Mountain Valley Pipeline
 - (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. New River Community College Board
 2. NRV Community Services Board
 3. Planning Commission

The vote on the forgoing motion was as follows:

AYE

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

NAY

None

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 April N. DeMotts, seconded by Mary W. Biggs 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
Darrell O. Sheppard
M. Todd King
Annette S. Perkins
Christopher A. Tuck

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

INVOCATION

A moment of silence was led by the Chair. Chair Tuck asked everyone to keep the victims and families of the Orlando, Florida shooting in their thoughts and prayers.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATIONS, RECOGNITIONS AND AWARDS

Fire and Rescue Senior Volunteer Recognition

Neal Turner, Emergency Services Coordinator, recognized 25 volunteers of the fire and rescue departments with a years of service plaque as follows:

Name	Years of Service	Department
Gratton Thompson	55	Christiansburg Volunteer Fire Department
James W. Epperly	51	Christiansburg Volunteer Fire Department
Douglas "Teeter" Robinson	55	Blacksburg Rescue Squad and Fire Department
David C. Heavener	58	Blacksburg Volunteer Fire Department
Allan M. Price	58	Blacksburg Volunteer Fire Department
Kelly B. Walters	52	Christiansburg Volunteer Rescue Squad and Riner Volunteer Rescue Squad
Dan Walters	69	Christiansburg Volunteer Rescue Squad
Freddie Akers	69	Christiansburg Volunteer Rescue Squad
Tommy Myers	69	Christiansburg Volunteer Rescue Squad
Grover Nixon	66	Christiansburg Volunteer Rescue Squad
Marvin Jones	66	Christiansburg Volunteer Rescue Squad
Scott Weaver	61	Christiansburg Volunteer Rescue Squad
P.L. "Dude" Griffith	60	Christiansburg Volunteer Rescue Squad
Wilson "Speedy" Carroll	50	Christiansburg Volunteer Rescue Squad
Esley Dillon	56	Long Shop McCoy Fire and Rescue
Walter Johnson Reynolds	56	Long Shop McCoy Fire and Rescue
Bobby Carner Sr.	56	Long Shop McCoy Fire and Rescue
William White	56	Long Shop McCoy Fire and Rescue
Jerry Albert	56	Long Shop McCoy Fire and Rescue
William "Bill" Greear	59	Riner Volunteer Fire Department
Jon Altizer	59	Riner Volunteer Fire Department
Kermit Grimm	59	Riner Volunteer Fire Department
Jack Martin	59	Riner Volunteer Fire Department

Mr. Turner stated that former Board Chair Bill Brown was instrumental in addressing the idea of recognizing the senior most members of the respective departments in Montgomery County. These 25 men represented here tonight, have a collective total of over **1,355 years** of service to their communities.

He thanked the committee members who served as the guidance for these awards and also thanked Justin Ayers, who while interning, developed and ensured the awards were fitting for the occasion.

Radford Army Ammunition Plant

LTC Alicia Masson, Commander of the Radford Army Ammunition Plant (RAAP), addressed the Board of Supervisors about RAAP's Hazardous Waste Open-air Incineration process. LTC Masson introduced Rob Davie, Chief of Operations and bioengineer, who will help answer any questions the Board may have. LTC Masson stated that RAAP has gone through the permitting process for replacement of the open-air incinerator. A new contained incinerator will handle the majority of the waste that cannot be put into a grinder. When asked for an estimated date for the operation of the new incinerator, LTC Masson stated that until the release date on funding is announced, an exact date is unknown.

The Board discussed the open-air incineration and RAAP's plan for a contained incinerator. The Board asked LTC Masson what RAAP's plans are for continued public meetings and if there are plans to test the air for pollutants. LTC Masson stated it is her goal to have five community meetings per year. Also, it is planned to have drone testing to monitor the air quality.

The Board thanked LTC Masson and Mr. Davie for attending the meeting.

Montgomery County Regional Tourism

Lisa Bleakley, Director, made a presentation on the new Tourism website. She introduced Irene Kilmore, Tourism Assistant, who provided a visual slide show of the new website and the new features that have been added. The official tourism website is www.GoToMontVa.com. The new website is mobile friendly with phone or tablet devices.

The Board thanked Ms. Bleakley and Ms. Kilmore for their presentation and commended them on the new website.

PUBLIC HEARINGS

The County Attorney provided a brief summary on each request by the Electoral Board to change the three precinct polling places. He requested Randy Wertz, Director of Elections & General Registrar to explain the Electoral Board's request.

Mr. Wertz introduced the members of the Electoral Board who are available to answer questions if needed, as follows:

Marshall Dowdy, Chairman
Freddie McKenzie, Vice-Chairman
Carroll William, Secretary

Mr. Wertz explained the request for the three precinct polling place changes as follows:

- B-3 precinct polling place, Belmont Christian Church located at 2149 Dominion Drive in Christiansburg, built a new church, therefore, a change to the address is needed to reflect the new location.
- D-5 precinct polling place move from the Christiansburg Library to the Christiansburg Middle School. The Christiansburg Library has become inadequate as a polling place due to the changes in voting technology and an increase in voter population. The school facility will provide increased floor space and parking.
- E-2 precinct polling place move from the LongShop-McCoy Fire Department to the Prices Fork Elementary School. The LongShop-McCoy Fire Department has become inadequate due voting technology and increase in voter population. The Falling Branch Elementary School will provide additional floor space and parking. The fire department has only 14 available parking spaces for voters. With an anticipated 75% turnout that would mean an average 101 voters every hour for the thirteen hours the polls are open. The LongShop-McCoy Fire Department is the third smallest floor space (864 sq. ft.) of the 24 precincts in the County and the last redistricting doubled the number of registered voters at 1,744. In the past only 4 voting booths were utilized and with the estimated turnout a total on 9 voting booths are needed according to a Virginia Tech study group. The floor space available does not accommodate the number of booths needed.

The Chair at this time opened each public hearing for public comment.

- (1) An Ordinance Changing the Address for the B-3 Precinct Polling Place
An Ordinance Changing the Address for the B-3 Precinct Polling Place from Belmont Christian Church Located at 2149 Dominion Drive in the County of Montgomery, Virginia to the New Location for the Belmont Christian Church Located at 1500 Peppers Ferry Road, County of Montgomery, Virginia

There being no speakers, the public hearing was closed.

- (2) An Ordinance Changing the D-5 Precinct Polling Place
An Ordinance Changing the D-5 Precinct Polling Place from Christiansburg Library Located at 125 Sheltman Street in the Town of Christiansburg County of Montgomery, Virginia to the Christiansburg Middle School Located at 1205 Buffalo Drive in the Town of Christiansburg County of Montgomery, Virginia.

There being no speakers, the public hearing was closed.

- (3) An Ordinance Changing the E-2 Precinct Polling Place
An Ordinance Changing the E-2 Precinct Polling Place From the LongShop-McCoy Fire Department Located at 5770 McCoy Road in the County of Montgomery, Virginia to the Prices Fork Elementary School Located at 4021 Prices Fork Road in the County of Montgomery, Virginia.

Melinda Pauley, Chief Officer of Election for E-2, stated that the majority of the residents in LongShop-McCoy are not in favor of moving the precinct to Prices Fork Elementary School. Ms. Pauley indicated a strong sense of community and the majority of the residents have lived in McCoy their entire lives.

Debra Smith, Officer of Election for E-2, expressed concerns with the elderly voters who live in the McCoy area who vote at the LongShop-McCoy Fire Department. She stated there are a lot of elderly voters who live in McCoy and believes it will hinder them coming out to vote if they have to drive to Prices Fork Elementary School.

Angie Roberts has worked 25 years as an Officer of Election at the LongShop-McCoy Fire Department and there have been no major complaints with using this facility as a polling precinct. The only complaints she has heard was from voters who have to drive into McCoy who live in other areas. Ms. Roberts also expressed concern that increasing the number of voting booths to nine will create a need for additional workers.

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

Action after Public Hearings:

The Board agreed that action on two of the request should be made tonight in order to allow additional time for the Electoral Board to process new voter registration cards for those residents who live in the B-3 and D-5 Polling Precincts.

ORD-FY-16-11
AN ORDINANCE CHANGING THE ADDRESS FOR THE
B-3 PRECINCT POLLING PLACE FROM BELMONT CHRISTIAN CHURCH
LOCATED AT 2149 DOMINION DRIVE IN THE
COUNTY OF MONTGOMERY, VIRGINIA TO THE
NEW LOCATION FOR THE BELMONT CHRISTIAN CHURCH
LOCATED AT 1500 PEPPERS FERRY ROAD,
COUNTY OF MONTGOMERY, VIRGINIA

On a motion by April N. DeMotts, seconded by Annette S. Perkins and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the B-3 Precinct Polling place shall be amended and re-ordained as follows:

VOTING PRECINCT B-3

Beginning at the intersection of South Main Street (U.S. Highway 460) and the Town of Christiansburg corporate line; thence in a southeasterly direction along said corporate line; thence southwesterly; thence southerly to its intersection with Peppers Ferry Road (State Route 114); thence in a southwesterly direction along said road; thence northwesterly to its intersection with the Town of Christiansburg Corporate line; thence in a southwesterly direction along said corporate line; thence southerly to its intersection with the Norfolk Southern Railroad; thence in a northwesterly direction along said railroad; thence westerly; thence southwesterly to its intersection with Crab Creek; thence in a southwesterly direction to its intersection with the western Montgomery County boundary line, said boundary also being the eastern Pulaski County boundary line and the New River; thence in a northwesterly direction along said boundary line; thence westerly; thence northerly to its intersection with Peppers Ferry Road (State Route 114); thence in a northeasterly direction along said road; thence easterly; thence southeasterly to the Town of Christiansburg Corporate line; thence in a northerly direction along said corporate line to its intersection with the Norfolk Southern Railroad; thence easterly along said railroad; thence southeasterly to its intersection with South Main Street (U.S. Highway 460); the point of beginning.

Polling Place: Belmont Christian Church
~~2149 Dominion Drive (State Route 114)~~ 1500 Peppers Ferry Road
Christiansburg, VA

The vote on the foregoing ordinance 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	

ORD-FY-16-12
AN ORDINANCE CHANGING THE ADDRESS FOR THE D-5 PRECINCT POLLING PLACE FROM THE CHRISTIANSBURG LIBRARY LOCATED AT 125 SHELTMAN STREET, IN THE TOWN OF CHRISTIANSBURG, COUNTY OF MONTGOMERY, VIRGINIA TO THE CHRISTIANSBURG MIDDLE SCHOOL LOCATED AT 1205 BUFFALO DRIVE IN THE TOWN OF CHRISTIANSBURG, COUNTY OF MONTGOMERY, VIRGINIA

On a motion by Annette S. Perkins, seconded by M. Todd King and carried unanimously,

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the D-5 Precinct Polling place shall be amended and re-ordained as follows:

VOTING PRECINCT D-5

Beginning at the intersection of Norfolk Southern Railroad and North Franklin Street; thence in a southerly direction with North Franklin Street to its intersection with West Main Street; thence in a westerly direction with West Main Street to its intersection with U.S. Interstate Highway 81; thence in a westerly direction with U.S. Interstate Highway 81 to its intersection with the northwestern tributary of Meadow Creek; thence in a northwesterly direction with said tributary to its intersection with Mud Pike (State Route 666) approximately 1,200 feet west of Edgemont Church; thence in a northeasterly direction with Mud Pike to its intersection with Edgemont road (a private road); thence in a northerly direction with Edgemont Road to a point of departure; thence in a easterly direction to its intersection with Gate Road (State Route 724); thence in a northeasterly direction with Gate Road to its intersection with Plum Creek Road (State Route 604); thence in a northeasterly direction with Plum Creek Road to its intersection with Radford Road (U.S. Route 11); thence in an easterly direction with Radford Road for approximately 500 feet to its intersection with an unpaved road (old U.S. Route 11); thence in an easterly direction with the unpaved road to its intersection with Barringer Mountain Road (State Route 720); thence in a northerly direction with Barringer Mountain Road until it makes a 90 degree turn to the west and becomes Spaulding Road (State Route 720); thence in a westerly direction with Spaulding Road to its intersection with a telephone line; thence in a northeasterly direction with the telephone line to its intersection with the Town of Christiansburg corporate boundary and Norfolk Southern Railroad; thence in a southeasterly direction along said corporate boundary and railroad to a point of departure with corporate boundary; thence in an easterly direction along said railroad to its intersection with North Franklin Street, the point of beginning.

Polling Place:	Christiansburg Library	<u>Christiansburg Middle School</u>
	125 Sheltman Street	<u>1205 Buffalo Drive</u>
	Christiansburg, VA	<u>Christiansburg, VA</u>

The vote on the foregoing ordinance was as follows:

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

PUBLIC ADDRESS

James Bradley encouraged the Board to approve displaying “In God We Trust” in the Board Chambers. Mr. Bradley asked those in attendance who supports displaying “In God We Trust” to stand, approximately 30+ people stood in favor. He stated the slogan is displayed in other government buildings such as the House of Representatives.

Susan Delay addressed her concerns regarding the open burn of hazardous waste at Radford Army Ammunition Plant. Ms. Delay questions the monitoring of the air quality and how effective the data will be when the prominent western winds blow the polluted air away from the area to be monitored. She stated that Belveiw Elementary School is in the path of the polluted air and expressed concern about the students’ and teachers’ health.

Buford Linkous spoke in support of displaying the motto “In God We Trust” in the Board Chambers. He sees the motto not as a religious symbol but a comfort, as a veteran, to know that freedom and protection of rights were fought for.

Allen Worrell supports displaying the motto “In God We Trust”. Mr. Worrell quoted several inspiration scriptures from the Bible and also noted several high profile business founders who founded their business on their faith.

Betty Haynes supports displaying the motto “In God We Trust”. Ms. Haynes stated that the world is in a terrible place and needs God.

Phyllis Albritton spoke on several issues. 1) Expressed concern with the open burning of hazardous waste at RAAP. She stated that the process of open burning is not necessary and urged the Board to continue to stay in contact with RAAP’s representatives. 2) “In God We Trust” motto. Ms. Albritton stated that she does not talk about her faith in public as it is a personal belief. She declared herself a Christian; however, she stated Montgomery County is a diverse community and should let the community decide their future.

Irene Peterson spoke in opposition to displaying “In God We Trust” motto in the Board Chambers. She believes this to be a religious phrase and does not need to be in the government building.

Stanley Smith spoke in support of displaying “In God We Trust” motto. When Mr. Smith was in school, his teacher read a scripture a day in the classroom and he believes we need to get back to this practice. He stated the soldiers gave us the freedom to worship and Jesus gave his life so we could have freedom.

John Baute spoke in opposition to displaying “In God We Trust” motto in the Board Chambers. He stated the County is a very diverse area and believes displaying the motto only inserts religion in government. He also believes that the Pacific Justice Institute, a group campaigning to get the motto displayed across the country, is a hate based group and the County should not align itself with this group.

Michael Yopp reported that a portion of Mt. Pleasant Road has been upgraded but during the flooding September 2015 it washed out and destroyed the newly paved portion. He stated that VDOT has yet to come and repair the road damaged caused by the flooding and asked for the Board's help in getting Mt. Pleasant Road repaired.

Michael Abraham spoke in opposition to displaying "In God We Trust" motto in the Board Chambers. Mr. Abraham stated here are 40 million people who do not believe in God and believes displaying this motto violates the principal of separation of Church and State. He believes that Montgomery County has gotten along just fine without these words in the Board Chambers.

Brian Ferrell stated he is an atheist and opposes the display of "In God We Trust". Mr. Ferrell believes the County needs to stay out of religion and it is a secular decision to display this motto. He stated that the County is a diverse County and needs to stay unified. He pointed out that the Court of Appeals has shown that this motto has no meaning.

Clem Carter spoke on behalf of Gil Yearwood and supports adding Taylor Hollow Road to the County's Six-Year Road Improvement Plan for Secondary Roads.

Gil Yearwood requested the Board approve adding Taylor Hollow road to the County's Six-Year Road Improvement Plan for Secondary Roads. Mr. Yearwood stated the road has 140 vehicles per day and needs upgrading.

Cindy Turner expressed her appreciation to the Board for honoring the Fire and Rescue Volunteers earlier tonight. The volunteers have devoted many years of their lives to the County. Not only do these volunteers work an average of 40 hours a week, they also put in many hours of training and services. Ms. Turner also spoke in support for displaying "In God We Trust" motto.

Kevin Albert thanked the Board for honoring the senior Fire and Rescue Volunteers and recognizing their years of service. Mr. Albert also spoke in support of displaying "In God We Trust" motto saying that, if it, can be displayed at the monuments in Washington, D.C. then why not in the County's Board Chambers.

Bill Turner spoke in support of displaying "In God We Trust" motto. He does not believe this to be a religious statement but a statement of faith.

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

CONSENT AGENDA

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 13, 2016 was approved with changes to the Minutes dated January 11, 2016 to reflect that there were two nominations for Chair. The vote was as follows:

AYE

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

NAY

None

Approval of Minutes

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously, the minutes dated January 11, 2016 were approved.

Schedule Public Hearings

R-FY-16-137
RESOLUTION SCHEDULING A PUBLIC HEARING ON
THE BOARD OF SUPERVISORS INTENT TO DISPOSE OF
TAX PARCEL NO. 054-A 4A 910, NIK RYAN DRIVE
COMMONLY REFERRED TO AS THE FORMER AEP PROPERTY

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to schedule a public hearing for Monday, July 11, 2016 at 7:15 p.m. or as soon thereafter in the Board Chambers at the Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia in order to hear citizen comments on the Board of Supervisors intent to dispose of the following owned County property:

1. Former AEP Property – 12.378 acres located at 910 Nik Ryan Drive, in the County of Montgomery Tax Parcel No. 054-A 4A, Parcel ID 035574

R-FY-16-138
A RESOLUTION ESTABLISHING A PUBLIC HEARING
ON THE PROPOSED ORDINANCE DESIGNATING
CERTAIN PERSONAL PROPERTY
OWNED BY THE BLACKSBURG HIGH SCHOOL BAND BOOSTERS, INC.
EXEMPT FROM TAXATION

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to schedule a public hearing on Monday, July 11, 2016, at 7:15 p.m. or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia in order to receive citizen comments on the proposed Ordinance Designating Certain Personal Property Owned by the Blacksburg High School Band Boosters, Inc., Exempt from Taxation.

R-FY-16-139
A RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE
PROPOSED ORDINANCE DESIGNATING CERTAIN PERSONAL PROPERTY
OWNED BY NEW HOPE RESIDENTIAL SERVICES, INC.
EXEMPT FROM TAXATION

On a motion by April N. DeMotts, 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 agree to schedule a public hearing on Monday, July 11, 2016, at 7:15 p.m. or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia in order to receive citizen comments on the proposed Ordinance Designating Certain Personal Property Owned by New Hope Residential Services, Inc., Exempt from Taxation.

R-FY-16-140
A RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE
PROPOSED ORDINANCE AMENDING CHAPTER 3 ENTITLED ANIMALS
OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA BY
AMENDING SECTION 3-31 BY INCREASING THE COMPENSATION FOR
LIVESTOCK KILLED BY DOGS FROM NOT TO EXCEED FOUR HUNDRED
DOLLARS PER ANIMAL TO NOT TO EXCEED SEVEN HUNDRED FIFTY DOLLARS
PER ANIMAL AND BY ELIMINATING THE CERTIFICATION BY ANIMAL
CONTROL

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to schedule a public hearing on Monday, July 11, 2016, at 7:15 p.m. or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia in order to receive citizen comments on the proposed Ordinance Amending Chapter 3 Entitled Animals of the Code of the County of Montgomery, Virginia, by Amending Section 3-31 by Increasing the Compensation for Livestock Killed By Dogs From Not To Exceed Four Hundred Dollars Per Animal To Not To Exceed Seven Hundred Fifty Dollars Per Animal and by Eliminating the Certification by Animal Control.

Appropriations and Transfers

**A-FY-17-01
FISCAL YEAR 2016-2017
BUDGET APPROPRIATION**

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the fiscal year ending June 30, 2017 budget which includes the Compensation and Classification Plan is appropriated and is hereby made effective July 1, 2016; and

BE IT FURTHER RESOLVED, That the Director of Financial and Management Services is hereby authorized to make the necessary transfers between funds as required to keep expenditure accounts appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by fund, and that the Treasurer is hereby authorized to make the necessary wire transfers, as appropriate.

**EXPENDITURE ACCOUNTS
TO BE APPROPRIATED**

1. 02 GENERAL FUND

100	Board of Supervisors	\$	265,259
110	County Administration		1,713,476
120	County Attorney		282,511
130	Financial and Management Services		1,106,651
132	Insurance		257,962
140	Information Technology		1,468,886
150	Commissioner of Revenue		587,974
152	Assessment - 100% County		425,867
160	Treasurer		501,233
162	Collections - 100% County		466,653
170	Registrar		432,035
180	Internal Services		344,517
200	Commonwealth Attorney		1,091,170
210	Circuit Court		177,713
220	General District Court		21,711
230	Juvenile and Domestic Relations Court		20,524
240	Magistrate		5,000
250	Circuit Court Clerk - 100% County		647,429
310	Sheriff-Co/State Support		7,433,928
320	Sheriff-County Support		6,848,538
330	Fire and Rescue		1,399,544

	400	General Services	4,914,099
	410	Engineering & Regulatory Compliance	673,322
	510	Comprehensive Services Act	1,651,969
	520	Human Services	386,406
	530	Public Health	580,606
	540	Social Services	5,313,810
	700	Parks and Recreation	1,093,866
	710	Regional Library	1,963,182
	800	Planning and GIS	657,384
	810	Economic Development	390,646
	900	Revenue Refunds	195,000
	910	Other Agencies	2,048,152
	950	General Contingencies	462,000
	960	Contingencies - Special	478,872
	990	Adjustments for Internal Services	(91,700)
	TRF	Transfer to School Operating Fund	45,522,664
	TRF	Transfer to School Capital Fund	1,496,000
	TRF	Transfer to County Capital Fund	1,557,000
	TRF	Transfer to EDA	380,000
	TRF	Transfer to Debt Service Fund	21,336,953
		TOTAL GENERAL FUND	\$ 116,508,812
2.	03	LAW LIBRARY FUND	
	03	Law Library	\$ 17,600
3.	09	SCHOOL OPERATING FUND	
	610	Instruction	80,148,199
	620	Administration, Attendance, and Health	4,239,253
	630	Pupil Transportation	5,172,040
	640	Operations and Maintenance	14,665,447
	650	Other Non-Instructional Operations	310,866
		TOTAL SCHOOL OPERATING FUND	\$ 104,535,805
4.	11	SCHOOL NUTRITION FUND	\$ 5,029,272
5.	12	COUNTY CAPITAL FUND	\$ 1,557,000
6.	18	DEBT SERVICE FUND	\$ 23,359,513
7.	19	SCHOOL CAPITAL FUND	\$ 1,496,000
8.		EDA INCENTIVES	\$ 380,000

TOTAL EXPENDITURES \$ 252,884,002

TRANSFERS BETWEEN FUNDS \$ (70,701,277)

TOTAL EXPENDITURES NET OF TRANSFERS \$ 182,182,725

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

ESTIMATED RESOURCES

1. GENERAL FUND

A.	REVENUE	
	General Property Taxes	\$ 89,935,595
	Other Local Taxes	12,679,899
	Other Undesignated Revenue	608,188
	Resources Designated by Department	13,285,130

TOTAL GENERAL FUND RESOURCES: \$ 116,508,812

2. LAW LIBRARY FUND

A.	REVENUE	\$ 15,000
B.	USE OF FUND BALANCE	2,600

TOTAL LAW LIBRARY FUND RESOURCES \$ 17,600

3. SCHOOL OPERATING FUND

A.	REVENUE	\$ 59,013,141
B.	TRANSFER FROM GENERAL FUND	45,522,664

TOTAL SCHOOL OPERATING FUND \$ 104,535,805

4. SCHOOL NUTRITION FUND RESOURCES \$ 5,029,272

5.	COUNTY CAPITAL FUND RESOURCES	\$	1,557,000
6.	DEBT SERVICE FUND		
	A. INTEREST REVENUE	\$	1,347,447
	B. ENERGY BOND RECOVERED COSTS		408,660
	C. COURTHOUSE MAINTENANCE FEES		79,982
	D. RENTAL INCOME		186,471
	E. TRANSFER FROM GENERAL FUND		<u>21,336,953</u>
7.	TOTAL DEBT SERVICE FUND	\$	23,359,513
8.	SCHOOL CAPITAL FUND	\$	1,496,000
9.	EDA INCENTIVES	\$	380,000
	TOTAL RESOURCES	\$	252,884,002
	TRANSFERS BETWEEN FUNDS	\$	(70,701,277)
	GRAND TOTAL ALL RESOURCES NET OF TRANSFERS	\$	182,182,725

**A-FY-16-83
SCHOOL OPERATING BUDGET
SUPPLEMENTAL APPROPRIATION**

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT 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:

630000	Transportation	\$ 20,690
640000	Operations and Maintenance	<u>\$189,380</u>
	Total	\$210,070

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

<u>Revenue Account:</u>		
440276	Educational Technology	\$100,000
418905	Sale of Supplies	\$ 15,335

418910	Insurance Adjustments	\$ 36,524
419011	Universal Services Discount (E Rate)	\$ 37,521
418908	Sale of School Buses	<u>\$ 20,690</u>
	Total	\$210,070

Said resolution appropriates additional funds for the School Operating Fund.

A-FY-16-84
SCHOOL OPERATING FUND
TRANSFER BETWEEN CATEGORIES

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer between categories for the School Operating Fund was granted for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

<u>FROM:</u>	
Instruction	(\$19,170)
Transportation	(240,141)
Operations and Maintenance	<u>(408,660)</u>
Total	(\$667,971)
<u>TO:</u>	
Transportation	\$19,170
Operations and Maintenance	240,141
Debt Service	<u>408,660</u>
Total	\$667,971

Said resolution transfers funds between School Operating Fund categories to align the budget to the actual cost of activities.

A-FY-16-85
CLERK OF CIRCUIT COURT
TECHNOLOGY TRUST FUNDS

On a motion by April N. DeMotts, 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, 2016, for the function and in the amount as follows:

251	Clerk of Circuit Court	\$6,340
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
423100 Shared Expenses	\$6,340

Said resolution appropriates Technology Trust fund monies to cover information technology support.

A-FY-16-86
INFORMATION TECHNOLOGY
INFRASTRUCTURE UPGRADES

On a motion by April N. DeMotts, 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, 2016, for the function and in the amount as follows:

140	Information Technology	\$59,000
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The source of funds for the foregoing appropriation is as follows:

451501	Designated Fund Balance	
	– Facilities and Maintenance Reserve	\$59,000

Said resolution appropriates funds from the Facilities and Maintenance Reserve balance to complete infrastructure upgrades for the Jail and lower level of the Health and Human Services buildings.

Livestock Claims

R-FY-16-141
LIVESTOCK AND FOWL CLAIM
INDIA AVERETTE

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that India Averette is hereby compensated \$100.00 for the loss of ten (10) chickens.

Appointments

R-FY-16-142
MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD
REAPPOINT ALISON M. ARMSTRONG

On a motion by April N. DeMotts, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Alison M. Armstrong** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2016 and expiring June 30, 2020.

RECESS

The Board took a 10 minute recess at 10:10 and reconvened at 10:20 p.m.

INTO WORK SESSION

On a motion by M. Todd King, seconded by Annette S. Perkins and carried unanimously,

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

1. "In God We Trust" Motto

The vote on the foregoing motion 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

"In God We Trust" Motto

Supervisor Todd King distributed a petition with 140 signatures supporting displaying "In God We Trust", the National Motto, on the wall in the Board Chambers. Supervisor King explained it is not his intention to cause conflict or disparity between the communities. He believes it is his honor and duty to bring up this issue as he was carrying out the wishes of residents across the County. Supervisor King stated that the Pacific Justice Institute has nothing to do with his request to display the motto in the Board Chambers.

Other Board members discussed this request and while some supported the idea to display the National Motto, others believed that the Government Center is not the appropriate place to display the motto as it is a narrow view, and Montgomery County is a diverse community.

Supervisors Biggs, DeMotts and Perkins expressed concern by displaying the motto. They want the Government Center to be a welcoming place for all residents regardless of their religious belief.

Supervisor Tuck noted that “In God We Trust” is the national motto and that courts have repeatedly held that posting it is not a violation of the Constitutional separation of church and state.

OUT OF WORK SESSION

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

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

The vote on the foregoing motion was as follows:

AYE

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

NAY

None

OLD BUSINESS

**R-FY-16-143
RESOLUTION APPROVING THE
SIX-YEAR ROAD IMPROVEMENT PLAN
FOR SECONDARY ROADS FOR FY 2016/17-2021/22**

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

WHEREAS, The Board of Supervisors of Montgomery County, Virginia in cooperation with representatives of the Virginia Department of Transportation, have prepared a proposed Six-Year Plan for Montgomery County listing improvements proposed on the State Secondary Highway System in Montgomery County for which funds are to be budgeted in fiscal years 2016/17-2021/22; and

WHEREAS, A duly advertised public hearing was conducted at the Montgomery County Government Center in Christiansburg, Virginia at 7:15 p.m. on Monday, May 9, 2016 for the purpose of informing interested citizens of the proposed Six-Year Plan and for soliciting public input into the planning process in accordance with sections 33.2-331 and 33.2-364 of the Code of Virginia, as amended; and

WHEREAS, The Board has given due consideration to such input and other factors pertaining to improvements of the State Secondary Highway System in Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby approves the Construction Budget as presented and the Six-Year Plan for Improvements of the State Secondary Highway System in Montgomery County for fiscal years 2016/17-2021/22 as shown below:

<u>Priority</u>	<u>Route</u>	<u>Name</u>	<u>From/To</u>	<u>Description</u>
0	Various			Signs, guardrail, safety items
1	606	Sidney Church Road	Fairview Church Road to 1 mile south of Fairview Church Road.	Grade, drain, stabilize unpaved road
2	606	Sidney Church Road	Camp Carysbrook Road to 1 mile north of Camp Carysbrook Road	Grade, drain, stabilize unpaved road
3	639	Mt. Pleasant Road	0.62 mile from Alleghany Spring Road	Replace bridge and approaches
4	643	Yellow Sulphur Road	From 1.25 miles north of bridge over Route 460 to 1.7 miles north of same bridge.	Grade, drain, stabilize unpaved road
5	643	Yellow Sulphur Road	From 1.7 miles north of 460 bridge to 0.7 miles south of Jennelle Road	Grade, drain, stabilize unpaved road
6	669	Fairview Church Road	East of Route 606 intersection	Replace low water bridge
7	771	Strawberry Circle	0.20 miles from SR 637 south of intersection to north of intersection	Grade, drain, stabilize unpaved road

The vote on the foregoing resolution 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

R-FY-16-144
ADD TAYLOR HOLLOW ROAD TO THE
SIX-YEAR ROAD IMPROVEMENT PLAN
FOR SECONDARY ROADS FOR FY 2016/17-2021/22

On a motion by Mary W. Biggs, seconded by April N. DeMotts and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia in cooperation with representatives of the Virginia Department of Transportation, have prepared a proposed Six-Year Plan for Montgomery County listing improvements proposed on the State Secondary Highway System in Montgomery County for which funds are to be budgeted in fiscal years 2016/17-2021/22; and

WHEREAS, A duly advertised public hearing was conducted at the Montgomery County Government Center in Christiansburg, Virginia at 7:15 p.m. on Monday, May 9, 2016 for the purpose of informing interested citizens of the proposed Six-Year Plan and for soliciting public input into the planning process in accordance with sections 33.2-331 and 33.2-364 of the Code of Virginia, as amended; and

WHEREAS, The Board has given due consideration to such input and other factors pertaining to improvements of the State Secondary Highway System in Montgomery County; and

WHEREAS, The Board desires to add Taylor Hollow Road to the County's Six-Year Road Improvement Plan for Secondary Roads for FY 2016/17-2021/22.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby adds the following road to the County's Six-Year Road Improvement Plan for Secondary Roads for FY 2016/17-2021/22.

<u>Priority</u>	<u>Route #</u>	<u>Road Name</u>	<u>From/To</u>	<u>Description</u>
8	SR 712	Taylor Hollow Road	0.30 miles from Intersection of SR 723 to Bridge	Grade, drain, stabilize unpaved road

The vote on the foregoing resolution was as follows:

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

Chair Tuck abstained from voting due to a conflict of interest as the applicant is a business client.

NEW BUSINESS

**R-FY-16-145
RESOLUTION APPROVING THE REAL ESTATE SALES AGREEMENT
BY AND BETWEEN L & G CIRCLE T PARTNERSHIP AND
THE COUNTY OF MONTGOMERY FOR THE PURCHASE
BY THE COUNTY OF APPROXIMATELY 46.51 ACRES ADJACENT TO
ROUTE 8 IN THE RINER MAGISTERIAL DISTRICT**

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

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia and L & G Circle T Partnership are in agreement on the terms and conditions for the sale of Tax Map No. 119-A 23 containing 45.924 acres and Tax Map No. 119-A 22 containing .587 acres located adjacent to Route 8 in the Riner Magisterial District to the County of Montgomery (“the Agreement”); and

WHEREAS, The Board of Supervisors desires to approve the Agreement with L & G Circle T Partnership and authorizes its Chairman to sign the Agreement on behalf of the County of Montgomery.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Real Estate Sales Agreement between L & G Circle T Partnership and the County of Montgomery, dated May 31, 2016, for the purchase by the County of Tax Map Number parcel 119-A 23 containing 45.924 acres and Tax Map Number Parcel 119-A 22 containing .587 acres; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, Christopher A. Tuck to execute the Real Estate Sales Agreement and the Deeds accepting the conveyance of the Property on behalf of the County of Montgomery, Virginia and execute any other documents required to close the conveyance.

The vote on the foregoing resolution was as follows:

AYE

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

NAY

None

BOARD MEMBERS REPORTS

Supervisor Biggs asked staff to send a letter of condolence to the City of Orlando for the recent tragedy at an Orlando nightclub.

Supervisor Biggs asked Supervisor Sheppard to share any additional e-mails/information related to the changing the E-2 Polling Precinct.

ADJOURNMENT

The Chair declared the meeting adjourned to June 27, 2016 at 6:00 p.m. The meeting adjourned at 11:15 p.m.

APPROVED _____ ATTEST: _____
Christopher A. Tuck F. Craig Meadows
Chair County Administrator