

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Deputy County Administrator

DATE: December 15, 2014

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

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

- 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
 1. NRV Economic Development Alliance
 2. Planning Commission
 3. Planning District Commission

 - (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. Luna
 2. Backcountry.com

 - (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

III. OUT OF CLOSED MEETING

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

IV. CERTIFICATION OF CLOSED MEETING

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

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PRESENTATION

Montgomery County Employee Retirees

The Board of Supervisor will recognize the following 2014 County Employee Retirees:

Betty L. Page	County Administration	35 years
Gary L. Chandler	Sheriff's Department	32 years
William J. Saunders II	Sheriff's Department	28 years
David C. Barnett	General Services	28 years
Karen C. Martin	Christiansburg Library	30 years

VIII. DELEGATIONS

A. Dialogue on Race

Representatives with the income gap/employment focus group for the Dialogue on Race will make a presentation on the “Ban the Box” Campaign.

IX. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the “NEW RIVER VALLEY” Section of the Roanoke Times on November 30, 2014 and December 6, 2014:

1. Variable Width Permanent Pedestrian Access Easement – Town of Christiansburg

The Town of Christiansburg has requested a variable width permanent pedestrian access easement across a portion of County property, Tax Parcel # 527(A)-84, the former Crowgey property, beside the old Courthouse. See TAB A.

The following public hearings were advertised pursuant to law in the “NEW RIVER VALLEY” Section of the Roanoke Times on November 28, 2014 and December 5, 2014:

2. Special Use Permit- John A. Barr, Jr. and Kelly Burdette

A request by John A. Barr Jr. and Kelly Burdette for an amendment to a Special Use Permit (SUP) on approximately 57.139 acres in an Agricultural (A1) zoning district approved May 10, 2010 for a kennel and 2 (two) detached accessory structures over 1200 square ft. to revise condition 3(b) allowing an increase in the permitted area and height of one of the accessory structures. The proposed structure will increase in area from 1,680 square ft. to 3,600 square ft. and from 20 ft. to 24 ft. in height. The property is located at 490 Craig Creek Road and is identified as Tax Parcel No. 015- A 1 (Account No. 002518) in the Mount Tabor Magisterial District (District A). The property currently lies in an area designated as Resource Stewardship in the 2025 Comprehensive Plan. See TAB B.

3. Rezoning and Special Use Permit – NRVP&P LLC Properties

A request by NRVP&P LLC Properties for a Rezoning and Special Use Permit (SUP) on approximately 5.917 acres in a General Business (GB) zoning district to allow a recycling facility. The property is located at 3431 Radford Road and is identified as Tax Parcel No. 90-4-1A, 2A, 90-5-1,2,3,4,5,6,7, 90-5-40, 40A and 40B. (Account No. 011646, 019273, 019274, 019275, 019276, 019277, 014010, 014148, 015706, 014011 and 014149) in the Riner Magisterial District (District D). The property currently lies in an area

designated as Village Expansion in the 2025 Comprehensive Plan and Mixed Use in the Prices Fork Village Plan. See TAB C .

4. Special Use Permit – (PUBLIC HEARING CONTINUED)

A request by Betty Robertson Payne (Armsey Living Trust) and DCI/Shires, Inc. (Agent) for a Special Use Permit of approximately 9.6 acres in a Agriculture (A1) zoning district to allow a contractors storage yard. The property is located on the south side of McCoy Road (St. Rt. 652) at the intersection of Keisters Branch Road (St. Rt. 718), identified as Tax Parcel No. 051-5 4,5,6,7, (Acct No. 014147, 014146 and 016146), in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Village Expansion in the Comprehensive Plan and Mixed Use in the Prices Fork Village Plan. See TAB D .

X. PUBLIC ADDRESS

XI. ADDENDUM

XII. CONSENT AGENDA

XIII. OLD BUSINESS

**A. SUBJECT: ORDINANCE AMENDING CHAPTER 3,
ENTITLED ANIMALS OF THE CODE OF
MONTGOMERY COUNTY**

**ORD-FY-15-
AN ORDINANCE AMENDING CHAPTER 3, ENTITLED ANIMALS
OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA
BY AMENDING SECTION 3-50 THROUGH 3-55 AND
BY ADDING SECTION 3-56 IN ORDER TO COMPLY WITH STATE LAW CHANGES
CONCERNING DANGEROUS AND VICIOUS DOG ENABLING LEGISLATION**

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 3, entitled Animals Section 3-50 through 3-56 shall be amended, added and reordained as follows:

Sec. 3-50. – ~~Definitions~~Control of dangerous dogs.

For the purpose of this article ~~the following words and phrases~~ dangerous dog shall have the meanings respectively ascribed ~~to them~~ by this section.

Dangerous dog means a canine or canine crossbreed that has bitten, attacked or inflicted injury on a person or companion animal that is a dog or cat, or killed a companion animal that is a dog or cat, ~~however,~~ When a dog attacks or bites a companion animal that is a dog or cat, the attacking or biting dog shall not be deemed dangerous (i) if no serious physical injury as determined by a licensed veterinarian has occurred to the dog or cat as a result of the attack or bite (ii) if both animals are owned by the same person, (iii) if such attack occurs on the property of the attacking or biting dog's owner or custodian, or (iv) for other good cause as determined by the court. No dog shall be found to be a dangerous dog as a result of biting, attacking or inflicting injury on a dog or cat while engaged with an owner or custodian as part of lawful hunting or participating in an organized, lawful dog handling event. No dog that has bitten, attacked, or inflicted injury on a person shall be found to be a dangerous dog if the court determines based on the totality of the evidence before it that the dog is not dangerous or a threat to the community.

~~*Vicious dog* means a canine or canine crossbreed that has:~~

- ~~(1) Killed a person;~~
- ~~(2) Inflicted serious injury to a person, including multiple bites, serious disfigurement, serious impairment of health or serious impairment of a bodily function; or~~
- ~~(3) Continued to exhibit the behavior that resulted in a previous finding by a court or on or before July 1, 2006 by an animal control officer as authorized by the provisions of [section 3-51](#)(b) that it is a dangerous dog, provided that its owner has been given notice of that finding.~~

Sec. 3-51. - Finding of dangerous ~~or vicious~~ dog.

- (a) Any law enforcement officer or animal control officer who has reason to believe that a canine or canine crossbreed within Montgomery County is a dangerous dog ~~or vicious dog~~ shall apply to a magistrate for the issuance of a summons requiring the owner or custodian, if known, to appear before the Montgomery County General District Court at a specified time. The summons shall advise the owner or custodian of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he or she shall contact the local animal control officer and inform him or her of the location of the dog and the relevant facts pertaining to his or her belief that the dog is dangerous ~~or vicious~~. The animal control officer shall confine the animal until such time as evidence shall be heard and verdict rendered. If the animal control officer determines that the owner or custodian can confine the animal in a manner that protects the public safety, the animal control officer may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered.
- (b) The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the

animal's owner to comply with the provisions of this article ~~and to pay any impound fees to the County of Montgomery for confining the animal until the hearing. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of Code of Virginia, § 3-2-6562, as amended.~~ The court upon finding the animal to be a dangerous ~~or vicious~~ dog, may order the owner, custodian or harbinger thereof to pay restitution for actual damages to any person injured by the animal or whose companion animal was injured or killed by the animal. The Court, in its discretion, may order the owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time as the animal is disposed of or returned to the owner.

Sec. 3-52. - Dangerous dog certificate.

- (a) The owner of any animal found to be a dangerous dog shall, within ~~ten (10)~~ forty-five (45) days of such finding, obtain a dangerous dog registration certificate from the animal control officer for a fee of ~~fifty one hundred fifty~~ eighty-five dollars (~~\$50.00~~150.00). The animal control officer shall provide the owner with a uniformly designed tag which identifies the animal as a dangerous dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. By January 31 of each year, until such time as the dangerous dog is deceased, All certificates obtained pursuant to this article shall be updated and renewed annually for ~~the same~~ a fee of eighty-five dollars (\$85.00) and in the same manner as the initial certificate was obtained. The animal control officer shall provide a copy of the dangerous dog registration certificate and verification of compliance to the state veterinarian. The animal control officer shall post registration information on the Virginia Dangerous Dog Registry.
- (b) All certificates or renewals thereof required to be obtained under this article shall only be issued to persons eighteen (18) years of age or older who present satisfactory evidence that:
- (1) The animal has been neutered or spayed and has a current rabies vaccination;
 - (2) The animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed;
 - (3) The owner has liability insurance coverage, to the value of at least one hundred thousand dollars (\$100,000.00) that covers animal bites. The owner may obtain and maintain a bond in surety in lieu of liability insurance to the value of at least one hundred thousand dollars (\$100,000.00);
 - (4) The owner's residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property; and

- (5) The owner has permanently identified the animal by means of a ~~tattoo on the inside thigh~~ or by electronic implantation.
- (c) If the owner of an animal found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this article.

Sec. 3-53. - Requirements for dangerous dogs.

- (a) While on the property of its owner, an animal found to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults or other animals. ~~The structure shall be designed to provide the animal with shelter from the elements of nature.~~ While so confined within the structure, the animal shall be provided for according to Section 3.2-6503 of the 1950 Code of Virginia, as amended.
- (b) When off its owner's property, an animal found to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal or interfere with the animal's vision or respiration, but so as to prevent it from biting a person or another animal.
- (c) After an animal has been found to be a dangerous dog, the animal's owner shall immediately upon learning of same cause the animal control officer to be notified if the animal:
 - (1) Is loose or unconfined;
 - (2) Bites a person or attacks another animal; or
 - (3) Is sold, given away or dies.
- (d) Any owner of a dangerous dog who relocated to a new address shall, within ten (10) days of relocating, provide written notice to the animal control officer as to where the animal has been moved and notify the appropriate animal control officer where the animal has been moved if that address is outside of Montgomery County.
- (e) The owner of any dog found to be dangerous shall register the animal with the Commonwealth of Virginia Dangerous Dog Registry, as established under Code of Virginia, § 3.2-6542, within forty-five (45) days of such a finding by the court of competent jurisdiction. The owner shall also cause the animal control officer to be promptly notified of (i) the names, addresses, and telephone number of all owners; (ii) all of the means necessary to locate the owner and the dog at any time; (iii) any complaints or incidents of attack by the dog upon any person or cat or dog; (iv) any claims made or lawsuits brought as a result of any attack; (v) ~~tattoo or~~ chip identification information ~~or such~~; (vi) proof of insurance or a surety bond; and (vii) the death of the dog.

Sec. 3-54. - Exemptions.

- (a) No canine or canine crossbreed shall be found to be a dangerous dog ~~or vicious dog~~ solely because it is a particular breed nor is the ownership of a particular breed of canine or canine crossbreed be prohibited.
- (b) No animal shall be found to be a dangerous dog ~~or vicious dog~~ if the threat, injury or damage was sustained by a person who was:
 - (1) Committing, at the time, a crime upon the premises occupied by the animal's owner or custodian;
 - (2) Committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian; or
 - (3) Provoking, tormenting or physically abusing the animal or can be shown to have repeatedly provoked, tormented, abused or assaulted the animal at other times.
- (c) No police dog which was engaged in the performance of its duties at the time of the acts complained of shall be found to be a dangerous dog ~~or a vicious dog~~.
- (d) No animal which, at the time of the acts complained of, was responding to pain or injury or was protecting itself, its kennel, its offspring, a person or its owner's or custodian's property, shall be found to be a dangerous dog ~~or a vicious dog~~.

Sec. 3-55. - Penalties.

The owner of any animal which has been found to be a dangerous dog, who willfully fails to comply with the requirements of this article shall be guilty of a class 1 misdemeanor ~~and the animal which has been found to be a dangerous dog may be ordered by the court to be euthanized in accordance with the provisions of Code of Virginia, § 3.2-6562, as amended or ordered removed from the county and prohibited from returning to the county. Any animal which has been found to be a dangerous dog and ordered removed from the county which is later found in the county shall be ordered by the court to be euthanized immediately.~~ Whenever an owner or custodian of an animal found to be a dangerous dog is charged with a violation of this article, the animal control officer shall confine the dangerous dog until such time as evidence shall be heard and a verdict rendered. The Court, through its contempt powers, may compel the owner, custodian, or harbinger of the animal to produce the animal.

Upon conviction, the Court may (i) order the dangerous dog to be disposed of by animal control pursuant to §3.2-6562 of the 1950 Code of Virginia, as amended, or (ii) grant the owner up to forty-five (45) days to comply with the requirements of this article, during which time the dangerous dog shall remain in the custody of the animal control officer until compliance has been verified. If the owner fails to achieve compliance within the time specified by the Court, the Court shall order the dangerous dog to be disposed of by animal control pursuant to §3.2-6562 of the 1950 Code of Virginia, as amended. The Court, in its discretion, may order the

owner to pay all reasonable expenses incurred in caring and providing for such dangerous dog from the time the animal is taken into custody until such time that the animal is disposed of or returned to the owner.

Any owner or custodian of a canine or canine crossbred or other animal is guilty of a:

1. Class 2 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this article when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person;
2. Class 1 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this article, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury.

Sec. 3-56. – Vicious Dogs.

(a) As used in this section:

"Serious injury" means an injury having a reasonable potential to cause death or any injury other than a sprain or strain, including serious disfigurement, serious impairment of health, or serious impairment of bodily function and requiring significant medical attention.

"Vicious dog" means a canine or canine crossbreed that has (i) killed a person, (ii) inflicted serious injury to a person, or (iii) continued to exhibit the behavior that resulted in a previous finding by a court or, on or before July 1, 2006, by an animal control officer as authorized by ordinance that it is a dangerous dog, provided that its owner has been given notice of that finding.

(b) Any law-enforcement officer or animal control officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a vicious dog shall apply to a magistrate serving the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law-enforcement officer successfully makes an application for the issuance of a summons, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian, or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of §3.2-6562 of the 1950 Code of Virginia, as amended. The court, upon finding the animal to be a vicious dog, may order the owner, custodian, or harbinger thereof to pay restitution for actual damages to any person injured

by the animal or to the estate of any person killed by the animal. The court, in its discretion, may also order the owner to pay all reasonable expenses incurred in caring and providing for such vicious dog from the time the animal is taken into custody until such time as the animal is disposed of. The procedure for appeal and trial shall be the same as provided by law for misdemeanors.

(c) No canine or canine crossbreed shall be found to be a vicious dog solely because it is a particular breed, nor is the ownership of a particular breed of canine or canine crossbreed prohibited. No animal shall be found to be a vicious dog if the threat, injury, or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the animal's owner or custodian; (ii) committing, at the time, a willful trespass upon the premises occupied by the animal's owner or custodian; or (iii) provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a vicious dog. No animal that, at the time of the acts complained of, was responding to pain or injury or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a vicious dog.

ISSUE/PURPOSE: Ordinance Amending Chapter 3, entitled Animals Section 3-50 through 3-56.

JUSTIFICATION: In order to comply with state law changes concerning dangerous and vicious dog enabling legislation.

XIV. NEW BUSINESS

A. SUBJECT: TOWN OF CHRISTIANSBURG REQUEST FOR EASEMENT

**R-FY-15-
RESOLUTION APPROVING THE CONVEYANCE OF
A VARIABLE WIDTH PERMANENT PEDESTRIAN ACCESS EASEMENT
TO THE TOWN OF CHRISTIANSBURG ON
COUNTY OWNED PROPERTY, 100 EAST MAIN STREET, CHRISTIANSBURG,
VIRGINIA, TAX MAP NO 527-(A)-84**

WHEREAS, The Town of Christiansburg has requested the Board of Supervisor of the County of Montgomery, Virginia to convey a variable width permanent pedestrian access easement along County property located at 100 East Main Street, Christiansburg, Va., Tax Map No. 527-(A)-84, as depicted on the attached Deed of Easement and Exhibit Plat entitled "Plat Showing A Variable Width Permanent Pedestrian Access Easement Across A Portion Of Tax Parcels 524-(A)-84" in order to construct and maintain a pedestrian sidewalk; and

WHEREAS, The Board of Supervisors is willing to convey the easement to the Town of Christiansburg; and

WHEREAS, A public hearing on this proposed conveyance was held on Monday, December 15, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey the variable width permanent pedestrian access easement to the Town of Christiansburg on County Property located at 100 East Main Street, Christiansburg Va., Tax Map No. 527-(A)-84; and

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

ISSUE/PURPOSE: Convey a variable width permanent pedestrian access easement to the Town of Christiansburg

JUSTIFICATION: The Town of Christiansburg has requested a variable width permanent pedestrian access easement on county property located at 100 East Main Street, in order to construct and maintain a pedestrian sidewalk. A public hearing was held earlier tonight. See TAB A.

B. SUBJECT: LEASE AGREEMENT –COMPREHENSIVE FIRE TRAINING CENTER

**R-FY-15-
RESOLUTION APPROVING THE LEASE AGREEMENT
BY AND BETWEEN THE BLACKSBURG VFD TRAINING GROUNDS, LLC
AND THE COUNTY OF MONTGOMERY
FOR THE PURPOSE OF ESTABLISHING
A COMPREHENSIVE FIRE TRAINING CENTER**

WHEREAS, The Blacksburg VFD Training Grounds, LLC owns an 11.58 acre parcel of land on Merrimac Road in the County of Montgomery, Virginia; and

WHEREAS, The Blacksburg VFD Training Grounds, LLC and the County of Montgomery, Virginia are interested in entering into a Lease Agreement whereby the County uses the premises, with the assistance from

Blacksburg VFD Training Grounds, LLC to establish a Comprehensive Fire Training Center for use by all Volunteer Fire Departments in the County of Montgomery; and

WHEREAS, The County desires to enter into a twenty-year lease with Blacksburg VFD Training Center, LLC pursuant to the terms and conditions of the attached Lease Agreement dated December 15, 2014.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the attached Lease Agreement by and between the Blacksburg VFD Training Grounds, LLC and the County of Montgomery, Virginia, dated December 15, 2014.

BE IT FURTHER RESOLVED, By the Board of Supervisors that William H. Brown, Chair, is hereby authorized to execute the Lease Agreement on behalf of the County of Montgomery.

ISSUE/PURPOSE: Enter into a twenty-year lease with Blacksburg VFD Training Center, LLC for the purpose of establishing a Comprehensive Fire Training Center.

JUSTIFICATION: The County would like to enter into an agreement with the Blacksburg VFD Training Center, LLC in order to establish a Comprehensive Fire Training Center to be utilize by all the volunteer fire departments in the County. See TAB G for a copy of the Lease Agreement.

C. SUBJECT: RESOLUTION OF SUPPORT - PROPOSED DESIGN FOR THE RELOCATION OF THE INTERSTATE 81 EXIT 118 FALLING BRANCH PARK AND RIDE FACILITY

**R-FY-15-
RESOLUTION SUPPORTING THE PROPOSED DESIGN
FOR THE RELOCATION OF THE INTERSTATE 81 EXIT 118
FALLING BRANCH PARK AND RIDE FACILITY**

WHEREAS, The Virginia Department of Transportation (VDOT) plans to relocate the Interstate 81 Exit 118 Falling Branch Park and Ride Facility; and

WHEREAS, On October 30, 2014 a design public hearing was held at Falling Branch Elementary School, with VDOT attending, to present the proposed scope of work to include approximately 299 parking spaces, sidewalk, lighting, bus shelters, and other bicycle and handicap accommodations; and

WHEREAS, Twenty-three citizens attended the October 30th design public hearing; and

WHEREAS, VDOT recommends that the major design features shown at the October 30th design public hearing be approved; and

WHEREAS, The Interstate 81 Exit 118 Falling Branch Park and Ride Relocation and proposed limited access changes which include shifting and providing a break to maximize the future use of the site and surplus VDOT property; and

WHEREAS, The Interstate 81 Exit 118 Falling Branch Park and Ride Relocation project is identified in the VDOT Six-Year Improvement Plan for FY 2015 – 2020 as VDOT Project No. 9999-060-809, P101, M501, UPC 105518 with projected allocations identified to cover the anticipated project costs.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby supports the design for the relocation of the Interstate 81 Exit 118 Falling Branch Park and Ride Facility; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution is forwarded to the Virginia Department of Transportation.

ISSUE/PURPOSE: Support the design for the relocation of the Interstate 81 Exit 118 Falling Branch Park and Ride Facility.

JUSTIFICATION: VDOT plans to relocate the Interstate 81 Exit 118 Falling Branch Park and Ride Facility. This resolution supports the new design for the relocation.

D. SUBJECT: RESOLUTION OF RECOGNITION – AUBURN HIGH SCHOOL GIRLS VOLLEYBALL TEAM – STATE CHAMPIONS

**R-FY-15-
RESOLUTION RECOGNIZING THE
AUBURN HIGH SCHOOL
GIRLS VOLLEYBALL TEAM
STATE CHAMPIONS**

WHEREAS, Excellence and success in competitive sports can be achieved only through strenuous practice, team play and team spirit; and

WHEREAS, Athletic competition enhances the moral and physical development of the young people in Montgomery County, preparing them for the

future by instilling in them the value of teamwork, a sense of fair play, and competition; and

WHEREAS, On November 22, 2014 the *Auburn High School* Girls Volleyball Team, the *Eagles*, won the Group A, Division 1, State Championship; and

WHEREAS, This is *Auburn High School's* third consecutive state championship, winning in 2012, 2013 and 2014; and

WHEREAS, The Board of Supervisors desires to publically recognize and pay tribute to those young people who, achieving outstanding success in an athletic competition, have inspired and brought pride to their school and Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the Board of Supervisors finds it appropriate to acknowledge and applaud the *Auburn High School Eagles* Girls Volleyball Team for winning the Group A, Division 1, State Championship which exemplifies their remarkable athletic talents and serves as an example of the exceptional quality of the youth of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to the *Auburn High School Eagles* and that a copy be a part of the official Minutes of Montgomery County.

ISSUE/PURPOSE: Resolution recognizing the AHS Eagles for winning the Group A, Division 1 State Championship.

JUSTIFICATION: The Auburn High School girls' varsity volleyball team defeated Matthews High School in Richmond, Va to win the Group A, Division 1 State Championship on November , 2014. This resolution is listed at the request of Supervisor Todd King.

E. SUBJECT: RESOLUTION OF RECOGNITION MATT HAGAN FUNNY CAR WORLD CHAMPS

**R-FY-15-
PROCLAMATION
MATT HAGAN-NATIONAL HOT ROD ASSOCIATION
2014 WORLD CHAMPION**

WHEREAS, *Matt Hagan* is a lifelong resident of Montgomery County and a graduate of Auburn High School; and

WHEREAS, Matt Hagan now manages the family's 500-acre cattle farm in Riner where he lives with his wife Rachel and their two children; and

WHEREAS, In addition to managing this 500-acre cattle farm **Matt Hagan** competes in the National Hot Rod Association's Full Throttle Drag Racing Series; and

WHEREAS, Matt Hagan first competed in the National Hot Rod Association's (NHRA), Full Throttle Drag Racing Series in 2008, which includes Funny Car, a drag racing car class; and

WHEREAS, In 2009 he raced in his first full season in the NHRA Full Throttle Drag Racing Series, posting runner-up finishes in Las Vegas and Charlotte; and

WHEREAS, In 2010 he finished second for the championship in the NHRA Full Throttle Drag Racing Funny Car competition; and

WHEREAS, During qualifying at a meet in Charlotte in September 2011, he became the first Funny Car driver in history to crack the four-second barrier, recording a blistering 3.995 seconds in a 1000' event; and

WHEREAS, In 2011 **Matt Hagan** won the NHRA Full Throttle Drag Racing Series World Championship in Pomona, California; and

WHEREAS, On November 16, 2014 **Matt Hagan** won the 2014 NHRA Full Throttle Drag Racing Series World Championship in Pomona, California; and

WHEREAS, It is fitting to recognize and share in the excitement for such a dedicated and exceptional athlete who engages in one of the most challenging and demanding tests of physical skill.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors recognizes and congratulates **Matt Hagan** for his unparalleled accomplishment in winning the 2014 NHRA Full Throttle Drag Racing World Championship making him a two-time NHRA Funny Car Champion.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **Matt Hagan** and that a copy be made a part of the official Minutes of Montgomery County.

ISSUE/PURPOSE: Resolution recognizing Matt Hagan for winning the 2014 NHRA Full Throttle Drag Racing World Championship.

XV. COUNTY ATTORNEY'S REPORT

XVI. COUNTY ADMINISTRATOR'S REPORT

XVII. BOARD MEMBERS' REPORT

1. Supervisor Gabriele
2. Supervisor King
3. Supervisor Creed
4. Supervisor Perkins
5. Supervisor Biggs
6. Supervisor Tuck
7. Supervisor Brown

XVIII. OTHER BUSINESS

XIX. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, January 12, 2015
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, January 26, 2015
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting