

**Agenda
Board of Supervisors
Montgomery County, Virginia**

**Regular Meeting
Tuesday, October 14, 2014
7:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting**

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. Planning District Commission

III. OUT OF CLOSED MEETING

IV. CERTIFICATION OF CLOSED MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. DELEGATION

1. Virginia Department of Transportation

VIII. PUBLIC ADDRESS

IX. CONSENT AGENDA

X. INTO WORK SESSION

1. Parks and Recreation Staffing
2. Employee Pay Supplement
3. Sheriff – Public Safety Technology
4. Legislative Priorities

XI. OUT OF WORK SESSION

XII. ADDENDUM

XIII. NEW BUSINESS

- A. Revenue Sharing Program FY 2016
- B. Legislative Priorities for 2015

XIV. COUNTY ATTORNEY’S REPORT

XV. COUNTY ADMINISTRATOR’S REPORT

XVI. BOARD OF SUPERVISORS’ REPORTS

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Adjourned Meeting
Monday, October 27, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Joint Meeting with School Board
Tuesday, October 28, 2014
6:00 p.m. Dinner
6:30 p.m. Meeting

Regular Meeting
Wednesday, November 12, 2014
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

**CONSENT AGENDA
October 14, 2014**

A. APPROVAL OF MINUTES

**1. SUBJECT: APPROVAL OF MINUTES DATED APRIL 28 ,
2014**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **A** .

B. SCHEDULE PUBLIC HEARING

**1. SUBJECT: SCHEDULE PUBLIC HEARING – AEP
EASEMENT REQUEST**

**R-FY-15-
A RESOLUTION SCHEDULING A PUBLIC HEARING ON
APPALACHIAN POWER COMPANY’S REQUEST FOR
THE BOARD OF SUPERVISORS TO CONVEY A
TEN FOOT EASEMENT AND RIGHT-OF-WAY
TO APPALACHIAN POWER COMPANY
ADJACENT TO AN EXISTING UTILITY EASEMENT
ON COUNTY PROPERTY COMMONLY REFERRED
TO AS THE FORMER AEP PROPERTY**

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 Wednesday, November 12, 2014, 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 Appalachian Power Company’s request for the Board of Supervisors to convey a ten-foot (10’) wide easement and right-of-way to Appalachian Power Company adjacent to an existing easement on County Property Tax Map No. 54-A-4A commonly referred to as the former AEP Property off Nik Ryan Drive in the Mount Tabor Magisterial District.

ISSUE/PURPOSE: Schedule a Public Hearing.

JUSTIFICATION: AEP is requesting a ten-foot (10’) wide easement and right-of-way on County property commonly referred to as the former AEP Property off Nik Ryan Drive. AEP is removing 4-spans of existing overhead power line and placing the line underground. See TAB **B** .

C. APPROPRIATIONS AND TRANSFERS

**1. SUBJECT: COMMONWEALTH’S ATTORNEY –
FORFEITED ASSET SHARING PROGRAM**

**A-FY-15-
COMMONWEALTH’S ATTORNEY
FORFEITED ASSET SHARING PROGRAM**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

200 Commonwealth’s Attorney \$1,554

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

Revenue Account
419104 Confiscations \$1,554

Said resolution appropriates monies received as part of the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

ISSUE/PURPOSE: Appropriate Forfeited Asset Sharing Program funds.

JUSTIFICATION: This money was seized from cases investigated by the Montgomery County Drug Task Force and prosecuted by the Commonwealth’s Attorney office as a participant of the Department of Criminal Justice Services’ Forfeited Asset Sharing program. These funds must be used for law enforcement purposes only and may not be used to supplant existing funding.

2. SUBJECT: RSVP GRANT APPROPRIATION

**A-FY-15-
RSVP GRANT APPROPRIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

520 Human Services \$2,500

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

<u>Revenue Account</u>	
25202-433107 Grant	\$2,500

Said resolution appropriates grant funds received from the Corporation for National and Community Services for the RSVP program.

ISSUE/PURPOSE: Appropriate additional grant funds received for the RSVP program.

JUSTIFICATION: This resolution appropriates an additional one time grant fund augmentation of \$2,500 received from the Corporation for National and Community Service for the RSVP program. There is no local match on these funds.

3. SUBJECT: SOCIAL SERVICES FY 15 BUDGET RECONCILIATION

**A-FY-15-
SOCIAL SERVICES
FY 15 BUDGET RECONCILIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund appropriation was reduced for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

540	Social Services	\$109,459
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
State & Federal	\$ 49,592
451203 Fund Balance	<u>\$ 59,867</u>
Total	\$109,459

Said resolution reconciles Social Services County FY 15 approved budget to State FY 15 budget.

ISSUE/PURPOSE: FY 15 Social Services Reconciliation.

JUSTIFICATION: The County budget is adopted prior to the receipt of the state budget allocation for the Department of Social Services. This resolution reconciles the County FY 15 budget to the actual allocation of state funds for the department.

The FY 15 County budget for Social Services totals \$5,331,880 and the revised budget totals \$5,441,339, a difference of \$109,459. Of the revised budget, County dollars total \$1,053,752, or 19.4% of the total.

4. SUBJECT: TREASURER – DMV STOP FEE

**A-FY-15-
TREASURER
DMV STOP FEE**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015 for the function and in the amount as follows:

162	Treasurer's Collections	\$5,788
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
411605	DMV Stop Fee	\$5,788

Said resolution appropriates DMV Stop Fees collected to pay the associated fee to the DMV and Commonwealth of Virginia.

ISSUE/PURPOSE: Appropriate DMV Stop fee service charges.

JUSTIFICATION: The Treasurer's Office issues DMV stops on delinquent taxpayers. This program prevents taxpayers from receiving DMV license renewals until their delinquent taxes are paid to the County. The DMV charges an administrative fee to the County, which the Treasurer's office passes on to the taxpayer. This resolution appropriates funds received to date under this program.

5. **SUBJECT: TREASURER – TRANSFER FROM GENERAL CONTINGENCIES (Balance in General Contingencies before approval of this transfer is \$413,889)**

**A-FY-15-
TREASURER
TRANSFER FROM GENERAL CONTINGENCIES**

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

FROM:
950 General Contingencies (\$3,800)

TO:
162 Treasurer Collections \$3,800

Said resolution transfers funds from General Contingencies to the Treasurer's Office for the costs associated with a purchase of a replacement copier.

ISSUE/PURPOSE: Transfer funds from General Contingencies to the Treasurer's Office.

JUSTIFICATION: This resolution transfers \$3,800 from General Contingencies to the Treasurer's Office for the costs associated with the purchase of a replacement copier. The Treasurer's existing copier has failed and is beyond repair. The Treasurer does not have sufficient funds in his base budget to cover this expense.

6. **SUBJECT: SHERIFF – DMV GRANTS**

**A-FY-15-
SHERIFF
DMV GRANTS**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

321 Sheriff Grants \$37,944

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

Revenue Account
424401 State Grants \$37,944

Said resolution appropriates monies from three DMV grants.

ISSUE/PURPOSE: Appropriate three DMV grants received for the Sheriff's Office.

JUSTIFICATION: This resolution appropriates three DMV grants. The grants, *Selective Enforcement –Alcohol* (\$14,184), *Selective Enforcement –Speed* (\$15,120), *Selective Enforcement –Occupant Protection* (\$8,640) will be used for overtime. No local cash match is required.

D. AFD

1. SUBJECT: ORDINANCE RENEWING AFD #14

**ORD-FY-15-
AN ORDINANCE RENEWING
AGRICULTURAL AND FORESTAL DISTRICT (AFD-14) FISHER'S VIEW
CONSISTING OF APPROXIMATELY 531.752 ACRES
IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C)
WITHIN MONTGOMERY COUNTY, VIRGINIA**

WHEREAS, Phillip K. Wickham and Richard & Diane Hyatt; have filed applications for the renewal of AFD-14, which Agricultural and Forestal District was created by an ordinance adopted on the 13th day of October, 1998; renewed by an ordinance adopted on the 9th day of October, 2006.

WHEREAS, The existing AFD-14 members were notified by U.S. Mail concerning the renewal of the current term and asked to file an application to continue the district; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the application, reported its findings and recommendation for approval on August 28, 2014; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on July 11, 2014; July 18, 2014; September 6, 2014; and September 12, 2014, in The Roanoke Times, The Burgs section, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public meeting on September 17, 2014; and

WHEREAS, The Planning Commission forwarded the applications with its findings and recommendation for approval to the Board of Supervisors on September 22, 2014; and

WHEREAS, The Board of Supervisors after proper notice, held its public hearing on September 22, 2014; and

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia, as follows:

1. That the conservation, protection and encouragement of the development and improvement of its agricultural and forestal land for the production of food and other agricultural and forestal products is vital to the public interest, and that the conservation and protection of these lands as a valued natural and ecological resource as well as economic and environment resource of major importance is also in the public interest.
2. That this Agricultural and Forestal District, AFD-14, has been reviewed and is hereby continued and renewed for a term of eight years terminating on December 31, 2022, in accordance with the provisions of Title 15.2, Chapter 36, Sections 15.2-4300 through 15.2-4314 Code of Virginia, 1950, as amended.
3. That said District as renewed shall consist of approximately 531.752 acres in the Fisher’s View Agricultural and Forestal District of Montgomery County, and shall include the following parcels:

OWNER	Parcel ID	ACREAGE
PHILLIP K. WICKHAM	017549	75.019
	011726	84.806
	020650	36.623
	000970	9
	000969	4.3
RICHARD & DIANE HYATT	019241	120
	019242	6
	019243	51
	019244	13.12
	019245	10.5
	019246	6.25
	008721	23.9
	008720	91.234

4. That these parcels may qualify for land use value assessment provided the parcels meet the criteria of Section 58.1-3230 and 58.1-3233 of the Code.

5. That the owners of land within said District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
6. That lawful termination of any owner's association of the District shall not serve to terminate the existence of the District but the District shall continue in effect until the review required by Section 15.2-4311 of the Code.
7. That all County ordinances and regulations shall be applicable within said District; provided, such ordinance and regulations are consistent with the Agricultural and Forestal Districts Act. Further the Planning Commission is hereby advised that it is the intent of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of both land adjacent to said District and land lying within said District.
8. That an exception for secondary roads either within or along the boundary of said District is hereby created and consequently, there is hereby excepted from said District a strip of land extending twenty-five (25) feet on both sides of the center line of all existing secondary roads within or along the boundary of said District from this ordinance.

This ordinance shall take effect upon its adoption.

ISSUE/PURPOSE: Ordinance renewing AFD#14.

JUSTIFICATION: AFD #14 was created by an ordinance adopted on the October 13, 1998 and renewed on October 9, 2006. The property owners have expressed their interest in renewing AFD #14 for another eight year term. Both the AFD Advisory Committee and the Planning Commission recommend approval of renewing AFD #14. See TAB C .

E. BOARD MEETINGS

1. **SUBJECT: AMEND BOARD OF SUPERVISORS MEETING DATES**

**R-FY-15-
RESOLUTION AMENDING THE
BOARD OF SUPERVISORS MEETING DATES IN
NOVEMBER AND DECEMBER 2014**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules its first meeting in in November on Wednesday, **November 12, 2014**.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby reschedules its first meeting in December on Monday, **December 15, 2014** and cancels its second meeting in December due to the holidays.

ISSUE/PURPOSE: Resolution changing the first meeting in November due to Board Members attending the VACo Conference at the Homestead, November 9-11, 2014. This resolution also reschedules its first meeting in December and cancels the second meeting in December due to the holidays.

F. APPOINTMENTS

1. SUBJECT: ADJUSTMENT AND APPEALS BOARD

**R-FY-15-
ADJUSTMENT AND APPEALS BOARD
APPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Christopher C. Sarver** to the **Adjustment and Appeals Board** effective October 15, 2014 and expiring June 25, 2015.

Said appointment fills the unexpired term of Joel Donahue, deceased.

ISSUE/PURPOSE: Appoint Christopher C. Sarver to fill the unexpired term of Joel Donahue, deceased.

JUSTIFICATION: Mr. Sarver was interviewed by the Interview Committee on September 15, 2014.

**2. SUBJECT: AGENCY ON AGING – RE-APPOINT
RAYMOND E. LYONS, JR. AS ALTERNATE**

**A-FY-15-
AGENCY ON AGING
RE-APPOINT RAYMOND E. LYONS
AS ALTERNATE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Raymond E. Lyons, Jr.** as an **alternate** to the **New River Valley Agency on Aging** effective October 1, 2014 and expiring September 30, 2015.

ISSUE/PURPOSE:

Re-appoint Raymond E. Lyons, Jr. as alternate member for the Agency on Aging.

JUSTIFICATION:

See **TAB D** for a copy of Mr. Lyons' letter stating that he wishes to be re-appointed to the Agency on Aging.

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 28th DAY OF APRIL, 2014 AT 5:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Matthew R. Gabriele	
	M. Todd King	
	Annette S. Perkins (arrived at 6:00 p.m., left at 7:30 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahan	-County Attorney
	Steve Phillips	-General Services Director
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Karen Drake	-Planning Director
	Bob Pearsall	-GIS Manager
	Erin Puckett	-Planning Technician
	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 – 5:45 p.m.

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

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

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|------------------|---|
| 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. Community Services Board (NRV) |
| | 2. Planning District Commission |
| | 3. Roanoke Valley Area MPO |

- (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. Alleghany Springs
 - 2. Mid-County
 - 3. Old Blacksburg Middle 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. Polling Precinct at Virginia Tech

The vote on the forgoing motion was as follows:

<u>AYE</u> Gary D. Creed M. Todd King Mary W. Biggs Christopher A. Tuck Matthew R. Gabriele William H. Brown	<u>NAY</u> None	<u>ABSENT DURING VOTE</u> Annette S. Perkins
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Supervisor Perkins arrived at 6:00 p.m. and left the meeting at 7:30 p.m.

OUT OF CLOSED MEETING 7:30 p.m.

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

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

The vote on the forgoing motion was as follows:

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

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

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

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

NAYS

None

ABSENT DURING VOTE

Annette S. Perkins

ABSENT DURING MEETING

Annette S. Perkins

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARING

Supervisor Tuck removed himself from participating in the public hearing due to a conflict of interest. He represents Duncan Automotive, who owns the property, in another matter.

Special Use Permit – P&G Ventures (Agent: Meade Tractor)

A request by P&G Ventures (Agent: Meade Tractor) for a Special Use Permit (SUP) on approximately 4.65 acres in a General Business (GB) zoning district to allow farm machinery sales and service. The property is located at **3963 South Main Street, Blacksburg, Va** and is identified as Tax Parcel No. 67-A 161 (Acct No. 006298) in the Shawsville Magisterial District (District B). The property currently lies in an area designated as Urban Expansion in the 2025 Comprehensive Plan.

Erin Puckett, Planning Department, provided a summary on the request. The applicant is proposing to use the existing building, previously an automobile sales facility, as a John Deere Turf and Agricultural dealership. Meade Tractor currently operates out of the facility located on Radford Road in Christiansburg. The proposed location is zoned General Business; however, to operate farm machinery sales and service a special use permit is needed.

At their April 9, 2014 meeting, the Planning Commission recommended approval of the Special Use Permit request with conditions.

Chuck Meade, President of Meade Tractor, provided additional background to their request. Mr. Meade expressed their desire to relocate in order to become more visible in the community. The new facility will provide room for more retail with ample showroom and increased service space. He requested the Board consider taking action on their request tonight.

There being no further speakers the public hearing was closed.

ADDENDUM

On a motion by M. Todd King, seconded by Mary W. Biggs and carried unanimously, the following addendum was added to New Business:

- Ordinance Allowing a Special Use Permit for P&G Ventures (Agent: Meade Tractor) for the Purpose of Allowing Farm Machinery Sales and Service in the Shawsville Magisterial District; Identified As Tax Parcel Number 067-A 161; Account No. 006298.

The vote on the foregoing motion was as follows:

AYE

Matthew R. Gabriele
Gary D. Creed
M. Todd King
Mary W. Biggs
William H. Brown

NAY

None

ABSTAIN

Christopher A. Tuck

ABSENT

Annette S. Perkins

Supervisor Tuck abstained from voting due to a conflict. Supervisor Tuck represents Duncan Automobile in another matter.

PUBLIC ADDRESS

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated April 28, 2014 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the minutes dated October 28, November 4 and November 13, 2013 were approved.

Appropriations and Transfers

A-FY-14-91 LIBRARY – DONATIONS

On a motion by Matthew R. Gabriele, 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, 2014 for the function and in the amount as follows:

710	Regional Library	\$38,838
720	Floyd Library	<u>\$10,199</u>
	Total	\$49,037

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

<u>Revenue Account</u>	
710 416158 Donations	\$38,838
720 416158 Donations	<u>\$10,199</u>
Total	\$49,037

Said resolution appropriates donations for use by the Library.

A-FY-14-92
SHERIFF
GRANT FUNDING

On a motion by Matthew R. Gabriele, 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, 2014, for the function and in the amount as follows:

321	Sheriff Grants	\$1,816
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
434401	Federal Grants	\$1,634
451203	Undesignated Fund Balance	<u>\$ 182</u>
	Total	\$1,816

Said resolution appropriates monies received from a Byrne Justice Assistance Grant.

A-FY-14-93
SOCIAL SERVICES
CARRYOVER FY13 YEAR END BALANCE

On a motion by Matthew R. Gabriele, 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, 2014, for the function and in the amount as follows:

540	Social Services	\$50,840
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated Fund Balance	\$50,840

Said resolution appropriates funds remaining at year end for the Department of Social Services to cover costs associated with one-time facility improvements and office equipment.

Appointments

**R-FY-14-132
COMMERCE PARK PARTICIPATION
COMMITTEE-REAPPOINT CRAIG MEADOWS
AND APPOINT BRIAN HAMILTON AS ALTERNATE**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **F. Craig Meadows**, County Administrator, to serve as Montgomery County's representative on Virginia's First Regional Industrial Facility Authority's **Commerce Park Participation Committee** effective July 1, 2014 and expiring June 30, 2018.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby appoints **Brian Hamilton**, Economic Development Director, as alternate to F. Craig Meadows effective July 1, 2014 and expiring June 30, 2018.

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

**R-FY-14-133
ECONOMIC DEVELOPMENT AUTHORITY
APPOINT NATHANIEL R. TUCK, JR.**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Nathaniel R. Tuck, Jr.** to the **Economic Development Authority** effective April 29, 2014 and expiring March 26, 2016.

Said appointment fills the unexpired term of George F. Wilkins, III, resigned.

**R-FY-14-134
ECONOMIC DEVELOPMENT AUTHORITY
APPOINT JAMES C. TAYLOR, III**

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **James C. Taylor, III** to the **Economic Development Authority** effective July 1, 2014 and expiring June 30, 2018.

R-FY-14-135
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY
REAPPOINT SUPERVISOR GARY CREED

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Gary D. Creed** to the **Montgomery Regional Solid Waste Authority** effective July 1, 2014 and expiring June 30, 2018.

BE IT FURTHER RESOLVED, The expiration of a Board of Supervisors term in office shall constitute a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County.

R-FY-14-136
MONTGOMERY REGIONAL SOLID WASTE AUTHORITY
REAPPOINT AL BOWMAN
AT-LARGE REPRESENTATIVE

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby approves the reappointment of **Al Bowman** to the **Montgomery Regional Solid Waste Authority** as the at-large representative effective July 1, 2014 and expiring June 30, 2018.

R-FY-14-137
NEW RIVER COMMUNITY ACTION BOARD
REAPPOINT MARY CRITZER

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Mary Critzer** to the **New River Community Action Board** effective July 1, 2014 and expiring June 30, 2016.

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

R-FY-14-138
VIRGINIA'S FIRST REGIONAL
INDUSTRIAL FACILITY AUTHORITY
REAPPOINT CRAIG MEADOWS AND
REAPPOINT CAROL EDMONDS AS ALTERNATE

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **F. Craig Meadows** to **Virginia's First Regional Industrial Facility Authority** effective July 1, 2014 and expiring June 30, 2018.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby reappoints **L. Carol Edmonds** as alternate for F. Craig Meadows effective July 1, 2014 and expiring June 30, 2018.

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

R-FY-14-139
WORKFORCE INVESTMENT ACT
LOCAL YOUTH COUNCIL
REAPPOINT MARY CRITZER

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Mary Critzer** to the **Local Youth Council** for the Local Workforce Investment Board in Local Workforce Investment Area #2 effective July 1, 2014 and expiring June 30, 2017.

BE IT FURTHER RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

INTO WORK SESSION

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

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

1. Stormwater Management Program
2. Virginia Retirement System

The vote on the forgoing resolution was as follows:

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

Stormwater Management Program

Carolyn Howard with Draper Aden Associates provided an update on the Stormwater Management Program and the requirements for Montgomery County. During its 2012 session, the General Assembly passed legislation that requires localities throughout the state, except for towns that are not holding Municipal Separate Storm Sewer System (MS4) permits, to adopt local Virginia Stormwater Management Programs (VSMPs). The County was also categorized as urbanized and therefore will be required to adopt a Municipal Separate Storm Water Systems (MS4) Policy. A MSR4 must be designed and implemented to control the discharge of pollutants from their storm sewer system to the maximum extent practicable in a manner that protects the water quality in nearby streams, rivers, wetlands and bays.

Ms. Howard outlined the program requirements for the County for the next several years and reported implementation of the stormwater policy begins July 1, 2014. She also outlined tasks to be completed in “FY 2014-2015 as follows:

- Stormwater Management Program: Complete ESC/SWM plan review, inspections, and tracking.
- MS4:
 - o Negotiate MS4 Memorandum of Understanding with Virginia Tech and the Towns of Blacksburg and Christiansburg.
 - o Manage stormwater website development
 - o Coordinate with Montgomery County Public Schools
 - o Plan outreach events to educate the public on stormwater management
 - o Draft illicit discharge detection and elimination ordinance
 - o Coordinate MS4 outfall mapping
 - o Prepare annual reports and updates to the Board of Supervisors

Virginia Retirement System (VRS)

Angie Hill, Financial & Management Services Director, provided an update on the County’s Virginia Retirement System contribution rate. VRS hires a firm to perform an actuarial calculation to determine each political subdivision’s contribution rate. Rates are established every two years.

Over the last two fiscal years the State has allowed localities to contribute at a lower rate. For FY 13 and FY 14, the County elected to contribute at the optional lower rate of 10.51% versus the actual rate of 13.94%. The FY 15 budget includes funding for the 13.11% VRS certified rate for Montgomery County. The General Assembly notified localities that they can have the option of continuing to contribute at the lower rate of 10.51% for FY 15. When contributions are made at less than the certified rate, an unfunded liability is created.

The General Assembly has required lower rates be used for teacher retirement plan for the past several years, reducing the amount of state funding needed for the program. As a result, the teacher retirement plan is significantly underfunded (only 62.4% as of June 30, 2012). As of June 30, 2013, the County's plan was funded at just over 72%. The impact of funding at a lower rate for a third year would create additional underfunding of the County's plan and result in significantly higher future rates. It is recommended that the County fund the VRS at the higher rate of 13.11, as funded in the FY 15 budget, instead of the 10.51%.

OUT OF WORK SESSION

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

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

The vote on the forgoing motion was as follows:

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

OLD BUSINESS

ORD-FY-14-19

AN ORDINANCE AUTHORIZING THE OPERATION OF GOLF CARTS AND UTILITY VEHICLES ON WARM HEARTH DRIVE AND LITTON LANE WITHIN THE WARM HEARTH VILLAGE

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Section 46.2-916.2 of the 1950 Code of Virginia, as amended, provides that golf carts and utility vehicles may not be operated on any public highway in the unincorporated area of the County unless specifically authorized by ordinance by the Board of Supervisors; and

WHEREAS, Warm Hearth has requested the County to consider authorizing Warm Hearth Drive and Litton Lane, two state maintained highways within the Warm Hearth Village, as designated for use by golf carts and utility vehicles; and

WHEREAS, The Board has considered the speed, volume and character of motor vehicle traffic using Warm Hearth Drive and Litton Lane within Warm Hearth Village and determined that golf cart and utility vehicle operation on such designated highways is compatible with state and local transportation plans and consistent with the Commonwealth's Statewide Pedestrian Policy provided for in Section 33.1-23.03:001 of the 1950 Code of Virginia, as amended; and

WHEREAS, The Board of Supervisors has determined that the posted speed on Warm Hearth Drive and on Litton Lane in the Warm Hearth Village is 25 miles per hour and that the use of golf carts and utility vehicles on Warm Hearth Drive and Litton Lane will not impede the safe and efficient flow of motor vehicle traffic; and

WHEREAS, Warm Hearth as the requesting entity to use golf carts, has agreed to be responsible for the installation and the continued maintenance of any signs pertaining to the operation of golf carts or utility vehicles on the designated highways in the Warm Hearth Village.

NOW, THEREFORE BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the designation of Warm Hearth Drive and Litton Lane within the Warm Hearth Village for use by golf carts and utility vehicles subject to the statutory limitations contained in Sections 46.2-916.2 and 46.2-916.3 of the 1950 Code of Virginia, as amended; and

BE IT FURTHER ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that as the requesting entity to use golf carts, Warm Hearth shall be responsible for the installation and the continued maintenance of any signs pertaining to the operation of golf carts or utility vehicles on the designated highways in the Warm Hearth Village.

The vote on the forgoing ordinance was as follows:

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

NEW BUSINESS

**ORD-FY-14-20
ORDINANCE ALLOWING A SPECIAL USE PERMIT
FOR P&G VENTURES (AGENT: MEADE TRACTOR) FOR THE PURPOSE OF
ALLOWING FARM MACHINERY SALES AND SERVICE IN THE
SHAWSVILLE MAGISTERIAL DISTRICT; IDENTIFIED AS TAX PARCEL
NUMBER 067-A 161; ACCOUNT NO. 006298**

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the request by **P&G Ventures (Agent: Meade Tractor)** for a Special Use Permit (SUP) to allow farm machinery sales and service on approximately 4.65 acres in a General Business (GB) zoning district is consistent with the County's Comprehensive Plan and is hereby **approved** with the following conditions:

1. Outdoor storage of materials and/or equipment awaiting repair shall be limited to the fenced area located on the southeastern side of the building, as indicated on the concept plan submitted with the application materials dated February 28, 2014. Screening of outdoor storage shall consist of privacy or chain link fencing. Privacy screening material shall be attached to the chain link fencing to provide additional screening and security. The screening material shall be either black, brown, dark green, tan or white and shall prevent visual access through the fence.
2. No storage containers used for shipping purposes, truck compartments or semi-trailers shall be stored or otherwise used on the premises for a period longer than one (1) week.
3. Exterior lighting shall comply with Section 10-46(9) of the Montgomery County Code.
4. Signage for the site shall be compliant with Section 10-45 of the Montgomery County Code. Banners and/or other signage shall not be installed or mounted on any fence.
5. Site shall be substantially in conformance with the concept plan submitted with the application materials dated February 28, 2014.
6. Approval of a new or revised site plan is required prior to obtaining a building permit.

The property is located at 3963 South Main Street, Blacksburg, Va. and is identified as Tax Parcel No. 067-A 161 (Acct.# 006298). The property currently lies in an area designated as Urban Expansion in the 2025 Comprehensive Plan.

The vote on the forgoing ordinance was as follows:

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

R-FY-14-140

**A RESOLUTION SCHEDULING A PUBLIC HEARING TO RECEIVE CITIZEN
COMMENTS ON AN ORDINANCE ESTABLISHING THE MONTGOMERY COUNTY,
VIRGINIA STORMWATER ORDINANCE**

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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 Tuesday May 27, 2014, at 7:15pm or as soon thereafter, at the Montgomery County Government Center, 2nd floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, in order to receive comments on an Ordinance establishing the Montgomery County Stormwater Ordinance, Section 8-70, Et Seq of the Code of the County of Montgomery by creating stormwater management requirements by providing a framework for the administration, implementation and enforcement of the provisions of the Virginia Stormwater Act and the integration of Montgomery County's stormwater requirements with the County's erosion and sediment control, flood insurance and flood plain management.

The vote on the forgoing resolution was as follows:

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

R-FY-14-141

TABLE

**A RESOLUTION ESTABLISHING A PUBLIC HEARING TO RECEIVE
CITIZEN COMMENTS ON THE PROPOSED ORDINANCE AMENDING
ELECTION DISTRICT A, VOTING PRECINCTS A-2 AND A-3, ELECTION DISTRICT
E, VOTING PRECINCT E-1 AND E-3, ELECTION DISTRICT F, VOTING PRECINCT
F-1 AND F-2, ELECTION DISTRICT G, VOTING PRECINCT G-1 AND CREATING A
NEW F-3 VOTING PRECINCT WITH THE F-3 VOTING PRECINCT POLLING
PLACE LOCATED AT SQUIRES STUDENT CENTER 290 COLLEGE AVENUE,
BLACKSBURG, VIRGINIA AND CHANGED THE E-3 VOTING PRECINCT POLLING
PLACE FROM THE VIRGINIA TECH MONTGOMERY EXECUTIVE AIRPORT TO
THE SQUIRES STUDENT CENTER 290 COLLEGE AVENUE BLACKSBURG,
VIRGINIA IN ORDER TO CREATE TWO ON CAMPUS VOTING PRECINCTS E-3
AND F-3 WITH AN ON CAMPUS POLLING LOCATION FOR BOTH PRECINCTS AT
SQUIRES STUDENT CENTER.**

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby **TABLES** the scheduling of a public hearing on Tuesday May 27, 2014, at 7:15pm or as soon thereafter, at the Montgomery County Government

Center, 2nd floor Board Room, 755 Roanoke Street, Christiansburg, Virginia, in order to receive comments on the proposed Ordinance Amending Election District A, Voting Precincts A-2 and A-3, Election District E, Voting Precincts E-1 and E-3, Election District F, Voting Precinct F-1 and F-2, Election District G, Voting Precinct G-1 and creating a new F-3 Voting Precinct with the F-3 Voting Precinct Polling Place Located at the Squires Student Center 290 College Avenue, Blacksburg, Virginia, and changed the E-3 Voting Precinct Polling Place from the Virginia Tech Montgomery Executive Airport to the Squires Student Center 290 College Avenue, Blacksburg, Virginia in order to create two on campus Voting Precincts E-3 and F-3 with an on campus Polling Location for both Precincts at Squires Student Center.

The vote on the forgoing motion to table was as follows:

AYE

Christopher A. Tuck
Gary D. Creed
M. Todd King
Mary W. Biggs
William H. Brown

NAY

Matthew R. Gabriele

ABSENT

Annette S. Perkins

**R-FY-14-142
PROCLAMATION
CENTENNIAL OF THE SMITH-LEVER ACT ESTABLISHING COOPERATIVE
EXTENSION AND PROCLAIM THE MONTH OF MAY 2014 AS NATIONAL
COOPERATIVE EXTENSION CENTENNIAL CELEBRATION MONTH**

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

WHEREAS, The Smith-Lever Act of 1914 established the Cooperative Extension Service, a state-by-state national network of extension educators who extend the university-based research and knowledge to the people in the counties; and

WHEREAS, The Cooperative Extension System is a nationwide educational network that is a collaboration of federal, state and local governments and Virginia Tech and Virginia State University, the state's land-grant universities; and

WHEREAS, The mission of the Cooperative Extension System is to disseminate research-based information on topics as varied as nutrition and health, youth development, agriculture, horticulture, animal husbandry, small business and personal finance. Every U.S. state and territory has a central state Extension office at its land-grant universities and county offices staffed by professionals; and

WHEREAS, Cooperative Extension of Montgomery County serves its residents through faculty and staff providing educational programs and research to meet the needs of the county; and

WHEREAS, For 100 years, the Smith-Lever Act has stimulated innovative research and vital educational programs for youth and adults through progressive information delivery systems that improved lives and shaped a nation; and

WHEREAS, Cooperative Extension educational programs in the areas of Family and Consumer Sciences, Agriculture and Natural Resources, 4-H Youth Development, and Community Viability have benefitted producers, businesses, families and youth in Montgomery County.

NOW, THEREFORE, BE IT PROCLAIMED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors on behalf of the citizens of Montgomery County recognizes the 100th Anniversary of the Smith-Lever Act that established Cooperative Extension; and

FURTHER BE IT RESOLVED, That the Board of Supervisors expresses their appreciation and thanks to all the faculty and staff, past, present and future, of Virginia Cooperative Extension of Montgomery County who serve residents of all ages and backgrounds and that all residents continue to grow in awareness and support, and reap the benefits of the programs and services provided by Virginia Cooperative Extension of Montgomery County.

FURTHER BE IT RESOLVED, That the Board of Supervisors hereby recognizes May 2014 as National Cooperative Extension Centennial Celebration Month and that we encourage county residents to take advantage of the programs and educational opportunities that Virginia Cooperative Extension offers to the community.

The vote on the forgoing resolution was as follows:

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

BOARD MEMBERS REPORTS

Supervisor Brown reported there is a need for a fire and rescue facilities needs assessment for the Riner Emergency Services area of the County in order to assist the Board of Supervisors in future planning for fire and rescue facility needs in the Riner area. He suggested establishing a Riner Fire and Rescue Facilities Needs Advisory Task Force to evaluate the fire and rescue facility needs within the Riner Emergency Services Area and recommend options to the Board of Supervisors to address these needs.

Supervisor Brown also suggested establishing a working group to support the efforts of the Task Force through study, analyses, and information as requested by the Task Force.

This item to be added to the May 12, 2014 agenda.

ADJOURNMENT

The Chair declared the meeting adjourned to Tuesday, April 29, 2014 at 7:00 p.m. The meeting adjourned at 8:45 p.m.

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

Appalachian Power Company
2255 Prospect Drive
Christiansburg, VA 24073-2542



Craig Meadows
Montgomery County Administrator
755 Roanoke St. Ste.2E
Christiansburg, Va. 24073-3181

September 16, 2014

Dear Mr. Meadows:

Enclosed is a Right of Way agreement that I am requesting for a 10 foot strip along the back lots from 830 to 870 Crestwood Dr. and across to the south side of Nik Ryan Dr., Blacksburg.

I am in the process of removing 4-spans of existing overhead line and placing the line underground. However due to the large amount of trees, brush, rock, etc., it would be best to install on the County side of the property.

The request was partially generated by MS Anne Groves and the fact that when this line gets knock out it also takes out the Shelor Subdivision.

It would also give the County access to the Apco underground power if you ever need service for this property.

I would appreciate consideration for this easement and if you have any further questions feel free to call me.

Sincerely,

A handwritten signature in black ink that reads "Tom Trotter". The signature is written in a cursive style with a horizontal line extending to the right.

Tom Trotter

Office (540) 381-2517

Cell (540) 320-1906

Technician Sr.-Customer Design

Appalachian Power Company

TAX ID or PARCEL NO. 054- A 4A

GRW 256 - UG - VA - CORP (Tax ID) - OmniForm

Montgomery County Board of Supervisors Eas No. _____ R/W Map No. 3780-315-D2 & 339-C1
755 Roanoke St., Ste.2E W.O. No. W002512701 Job No. 14420080 Prop. No. 1
Christiansburg, Va., 24073-3181 Line Crestwood Drive Improvements

THIS AGREEMENT, made this _____ day of _____, 20 14,
by and between MONTGOMERY COUNTY BOARD OF SUPERVISORS,
a corporation organized and existing under the laws of the State of Virginia, herein called "Grantor",
and APPALACHIAN POWER COMPANY, a Virginia corporation, herein called "Appalachian",

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid to Grantor by Appalachian,
the receipt whereof is hereby acknowledged, Grantor hereby grants, conveys, and warrants to Appalachian, its
successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and
communication lines, in, on, along, through, over, across or under the following described lands of the Grantor
situated in Mt Tabor District, County of Montgomery, State of Virginia.

Being a right of way and easement on the property of the Grantors identified as Montgomery County,
Tax Parcel No. 054- A 4A

This easement extends in a Southerly direction from
Appalachian's existing underground facility numbered 315-503 to
and including new underground facilities numbered 339-1445,1426 & 1427

Said right of way and easement being more particularly described as a 10-wide utility strip.

TOGETHER with the right, privilege and authority to Appalachian, its successors, assigns, lessees and
tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of,
and relocate at will, underground conduits, ducts, vaults, cables, wires, transformers, pedestals, risers, pads,
fixtures, and appurtenances (hereinafter called "Appalachian's Facilities"), in, on, along, through, across and
under the above referred to premises; the right to disturb the surface of said premises and to excavate thereon,
and to cut down, trim, clear, and/or otherwise control, and at Appalachian's option, remove from said premises,
brush, undergrowth, trees, tree roots, shrubs, buildings, or other obstructions which may endanger the safety of,
or interfere with the use of, Appalachian's Facilities; and the right of ingress and egress to and over said above
referred to premises, and any of the adjoining lands of the Grantors at any and all times, for the purpose of
exercising and enjoying the rights herein granted, and doing anything necessary or useful or convenient in
connection therewith.

It is understood and agreed between the parties hereto, that the Grantor reserves the right to use said lands
in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Appalachian Power Company, its successors, assigns, lessees
and tenants.

THIS INSTRUMENT PREPARED BY AND UPON RECORDATION RETURN TO
APPALACHIAN POWER COMPANY, P O BOX 2021, ROANOKE, VIRGINIA 24022

VICINITY MAP
SCALE: 1" = 2000'±

MARGOT SEBBA
(D.B. 414, PG. 474)

EXISTING 50' R/W

LOT 7
PHASE I
SHELOR FARMS ESTATES

N14°32'50"E
138.76'

(59.32)
N71°27'18"W

(50.00')
N18°32'42"E

LOT 6
PHASE I
SHELOR FARM ESTATES

LOT 5
PHASE I
SHELOR FARM ESTATES

N17°10'
54.

LOT 4
PHASE
SHELOR FARM

2
UTILI

20' DRAINAGE
EASEMENT
C16

235.00' N79°32'42"E

135.00'

LOT 10
1.28 ACRES
(TO BE SERVED
BY PUBLIC WATER)

NEW
DRAINFIELD

2 -
UPON

10 FT
EASEMENT

830

CRESTWOOD DRIVE - 50' R/W

870

NIK RYAN DR

C15

N/F
TROY R. SHELOR
TAX PARCEL 55--(A)--4
(D.B. 22, PG. 278)

221.27'

N10°27'18"W

RESERVE

S72°49'56"W
294.95'

30' DRAINAGE EASEMENT

20' DRAINAGE
EASEMENT



MONTGOMERY COUNTY
BOARD OF SUPERVISORS
PROPERTY







MONTGOMERY COUNTY
PLANNING COMMISSION

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Mr. Bill Brown, Chairman
Montgomery County Board of Supervisors

FROM: Mr. Frank Lau, Chairman
Montgomery County Planning Commission

DATE: September 22, 2014

SUBJ: **Renewal of Agricultural and Forestal District (AFD) #14-Fisher's View**

During our meeting on September 17, 2014, the Planning Commission discussed the renewal of AFD district #14, located in the south eastern portion of Montgomery County in the vicinity of Alleghany Spring Rd. (Rt. 637) and Fisher's View Rd. (Rt. 609).

Upon a motion duly seconded and carried by a 9-0 vote, the Planning Commission recommended **approval** of the proposed renewal and additions to the AFD District #14 with the same terms as the previous eight (8) years. The district is proposed to consist of 13 parcels totaling 531.85 acres for the new term ending in the year 2022.

In discussion, Commission members felt renewal of this district for an additional eight years would be a benefit to the County. There were no speakers during the public hearing.

The AFD advisory committee met on August 28, 2014 and unanimously recommended approval of the proposed renewal and addition of parcels within AFD #14 (Fisher's View) for a period of eight (8) years.

Attachments: Staff Analysis, September 10, 2014
District Map, August 12, 2014
AFD Committee Meeting Minutes, August 28, 2014



MONTGOMERY COUNTY DEPARTMENT OF
PLANNING & GIS SERVICES

PLANNING
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

MEMORANDUM

TO: Planning Commission

FROM: Planning Staff

DATE: September 10, 2014

RE: **Agricultural & Forestal District #14 (Fisher's View) Renewal**

I. General Purpose

Agricultural & Forestal Districts (AFD's) are rural areas reserved for the production of agricultural products and timber as important economic and environmental resources. They are established according to state guidelines at the initiative of individual landowners and the approval of the Board of Supervisors. Participating landowners relinquish some development rights, for a period of eight years, in return for increased protection and possible real estate tax benefits. All residents benefit from good stewardship of the land and from the reduced demand to extend urban public services into rural areas on the County.

II. Background – District #14 (Fisher's View)

AFD 14 is generally located in the south eastern portion of Montgomery County and is in the vicinity of Alleghany Spring Rd. (Rt. 637) and Fisher's View Rd. (Rt. 609). The district was originally established in 1990 and was last renewed by ordinance adoption in 2006. This district is currently under review for another eight year term. Currently, AFD 14 consists of 2 property owners and approximately 481.925 acres.

One property owner has proposed an addition of 49.923 acres. With the proposed addition the total acreage for the district for the next eight year term would be 531.85 acres. Please see the attached map for the location of the properties.

Agricultural and Forestal Advisory Committee Review & Recommendation

The AFD Advisory Committee met on August 28, 2014 to discuss the renewal request for AFD 14 (Fisher's View) and to conduct a field visit of the District. The minutes from the meeting are attached for review.

The consensus of the members present was that all conditions for renewal had been met and all properties that requested to renew or be added should be included in the next eight year renewal of the aforementioned district provided all the necessary plans were received by the Planning Department.

Therefore, on a motion by Mr. Greg Miller, seconded by Mr. Styne and carried unanimously (Obiso, Boucher, Loflin, and McElfresh absent), the committee voted to recommend approval of the renewal and additions of the parcels shown in "Table A" below for a period of eight (8) years.

Planning Staff recommends that the Planning Commission accept the AFD Advisory Committee's recommendation and forward it on to the Board of Supervisors. The Board of Supervisors is scheduled to hold a public hearing on the renewals on September 22nd and take official action at their October 14th, 2014 meeting.

Table A

OWNER	ACREAGE	STATUS
PHILLIP K. WICKHAM	159.925	RENEW
PHILLIP K. WICKHAM	49.923	ADDITION
RICHARD & DIANE HYATT	322	RENEW

Enclosures: Map of AFD #14- Prepared August 12, 2014
AFD Committee Minutes dated August 28, 2014

AT A MEETING OF THE ADVISORY COMMITTEE ON AGRICULTURAL AND FORESTAL DISTRICTS (AFD's) BEGINNING AT THE GOVERNMENT CENTER IN CHRISTIANSBURG, VIRGINIA ON AUGUST 28, 2014 AT 4:00 PM:

Present: Bob Styne, Vice-Chairman
John Garrett, Member
Gregory Miller, Member
Tom Bland, County Assessor, Member
Bob Miller, Planning Commission Liaison
Brea Hopkins, Development Planner
Dari Jenkins, Planning & Zoning Administrator
Candace Ross, Sr. Program Assistant

Absent: Britt Boucher, Chairman
Tom Loflin, Member
William McElfresh, Member
Richard Obiso, Member
Chris Tuck, Board of Supervisors Liaison

The members assembled at the Government Center parking lot at 4:00 p.m. and left for a field visit to review AFD-14 Fishers View. Following the site visits, the members began their business meeting at 5:15 p.m. to discuss the renewal of Agricultural and Forestal District #14 (Fisher's View) and Regional Agriculture Grants.

Mr. Garrett opened the meeting by reviewing the items of business that were on the agenda.

Mrs. Hopkins opened the meeting by initiating introductions of the members. Mrs. Hopkins reviewed the existing AFD 14 district (481.925 acres) and the proposed addition of parcels (49.923) by Mr. Wickham. She noted this district was contiguous and did not have any outlying parcels. Both property owners currently have forestry plans on file with the Commissioner of Revenue.

The advisory committee discussed the request by the property owners of AFD-14 to renew the districts under the same conditions as the previous eight year period.

On a motion by Mr. Greg Miller, duly seconded by Mr. Bob Styne and carried unanimously (Obiso, Boucher, Loflin, Tuck and McElfresh absent), the committee voted to recommend approval of the renewal and additions of the parcels for a period of eight (8) years. The total acreage to be included in AFD-14 (Fisher's View) for the upcoming eight year term would be 531.85 acres.

Regional Agricultural Grant Discussion

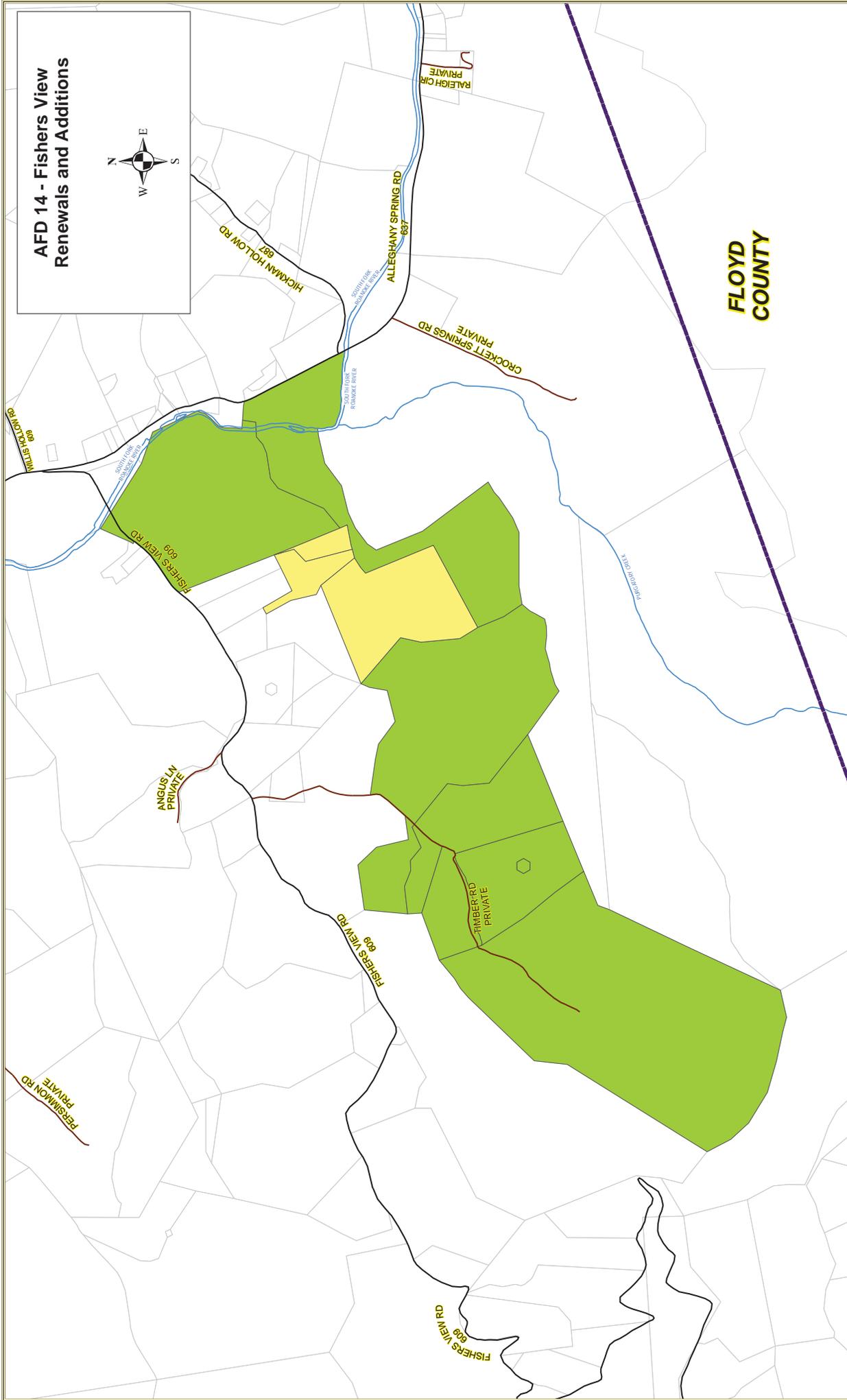
Mrs. Hopkins provided update on the regional grant. Once the consultant has a report prepared it can be forwarded to the committee, if desired.

AFD Incentive Progress

Mrs. Hopkins reported Mohan Pokharel was still working on the land use and AFD incentive project. It is anticipated that the upcoming planning director will forward the completed report to the AFD committee.

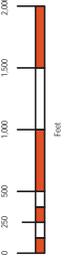
There being no further business, the meeting was adjourned at 6:15 pm.

AFD 14 - Fishers View Renewals and Additions



Legend
AFD 14 Additions and Renewals

- Renewal (Green square)
- Addition (Yellow square)



September 23, 2014



F. Craig Meadows, County Administrator
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073

Dear Mr. Meadows:

This letter is to express my interest in continuing to serve as the county's appointed alternate for the New River Valley Agency on Aging Board of Directors.

Sincerely,

Raymond E. Lyons Jr.
Raymond E. Lyons, Jr.

CHANGES IN THE STATE AND LOCAL GOVERNMENT CONFLICT OF INTEREST ACT (COIA)
HB 1211 (Gilbert) SB 649 (Norment)

A. SUMMARY OF THE TWO MAJOR CHANGES

1. Amended the following provisions of COIA
 - a. Definition of Personal interest
 - b. Gifts
 - c. Disclosures
2. Created Ethic Advisory Council (Va. Code 30-355 et seq.)

B. Amendments to COIA

1. Personal Interest minimum was lowered from \$10,000 to \$5,000.
 - “Personal Interest” means a financial benefit or liability accruing to an officer or employee or to a member of his or her immediate family by reason of ownership in business, annual income from property, salary or value of ownership of real or personal property
 - Applies to determining whether one has a “personal interest” due to salary from business or due to income or value from ownership interest.
2. Gifts
 - Gift redefined to include tangible and intangible gifts. Tangible Gift – a gift that does not lose its value upon happening of an event or a given date. Intangible Gift – a thing of temporary value or upon the happening of an event loses its value. Includes trips, entertainment, lodging, tickets, meals, transportation.
 - Limit of \$250 each or cumulatively per calendar year for tangible gifts from the following sources: (1) Lobbyist; (2) Lobbyist’s Principal; (3) Person/entity with a contract or seeking a contract with official’s or employee’s locality
 - Exceptions: (1) Campaign contributions reported as such; (2) gifts related to private profession of official/employee; (3) Gifts from relatives and personal friends; (4) honorary degree or need, athletic or merit based scholarship or aid if procedures applicable to general public
 - Exception for gifts from personal friends does not apply if the personal friend is a lobbyist or lobbyist’s principal.
 - Relative means spouse, child, uncle, aunt, niece, nephew, fiancé, parent, grandparent, grandchild, brother, sister and their spouses.
 - No limit on intangible gifts but must disclose under Schedule E, Statement of Economic Interests

3. Disclosures

- File semi-annually starting 2015 June 15 and December 15
- Last annual filing is December 15, 2014 **(NOTE earlier filing instead of January 15)**
- Beginning December 15, 2015 file disclosure forms with the Conflict of Interest and Ethics Advisory Council (not Board Clerk)
- Must disclose on Schedule D, Statement of Economic Interests payments that combined exceed \$200 for registration, lodging, meals, transportation or other payments for attending any meeting, conference or event if the attendance educates or enhances knowledge and skill related to role in government agency. (EX/ VACO meeting). If no educational value must report as intangible gift on Schedule E, Statement of Economic Interest.
- Must disclose gifts given to official/employee or member of immediate family exceeding \$50 each or when the total value exceeds \$100 on Schedule E, Statement of Economic Interest unless the gift falls under one of the exceptions listed above.

4. Conflict of Interest and Ethics Advisory Council

- Created Conflict of Interest and Ethics Advisory Council Va. Code Section 30-355 et Seq.
- 15 members – House and Senate members and former members, Governor and Attorney General Appointments, and VML and VACO representatives
- Will receive all disclosure forms starting July 1, 2015.
- Duties include: (1) Review disclosure forms; (2) Create electronic, searchable database of all disclosures; (3) Issues ethics/COIA opinions – formal and informal; (4) Conduct conflict training; (5) File Annual Report on December 1 of each year on activities and findings

SHOULD SEE MORE CHANGES IN 2015 GENERAL ASSEMBLY