AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 13th DAY OF JANUARY, 2014 AT 6:00 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	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Steve Sandy	-Planning Director
	Angie Hill	-Financial &Management Services Director
	Marc Magruder	-Budget Manager
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The County Administrator called the meeting to order.

INVOCATION

A moment of silence was led by the County Administrator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ELECTION OF CHAIR

R-FY-14-77
ELECTION OF CHAIR
CALENDAR YEAR 2014

On a motion by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That **William H. Brown** be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2014 or until a successor is elected.

The vote on the forgoing resolution was as follows:

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

The County Administrator turned the meeting over to the newly elected Chair.

ELECTION OF VICE-CHAIR

R-FY-14-78
ELECTION OF VICE CHAIR
CALENDAR YEAR 2014

On a motion by Annette S. Perkins and carried,

BE IT RESOLVED, That **Mary W. Biggs** be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2014 or until a successor is elected.

The vote on the forgoing resolution was as follows:

AYE	NAY
Annette S. Perkins	M. Todd King
Mary W. Biggs	Christopher A. Tuck
Matthew R. Gabriele	Gary D. Creed
William H. Brown	

ORGANIZATIONAL MATTERS

R-FY-14-79
SELECTION OF REGULAR MEETING DATE

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

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2014 shall be the 2nd and 4th Monday of each month. The closed session portion of the meeting shall begin at 6:00 p.m., if closed session is required, or at a time prior to or after 6:00 p.m. as notified by the County Administrator, otherwise the meeting shall begin at 7:15 p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

BE IT FURTHER RESOLVED, That should the Chairman declare that the weather or other conditions are such that it is hazardous for members to attend the regular meeting, the regular meeting shall be continued to the following Monday. The continuance of the regular meeting shall be communicated to the members and the press as promptly as possible.

The vote on the forgoing resolution was as follows:

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

R-FY-14-80
RULES OF ORDER AND
PARLIAMENTARY PROCEDURES

On a motion by Matthew R. Gabriele, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2014 as follows:

RULES OF ORDER

Rule 1 The current edition of ***Roberts Rules of Order*** shall govern in the deliberations of the Board of Supervisors, except as otherwise provided by ordinance or these rules.

Rule 2 The Board may ***temporarily suspend*** any of its rules by a vote of two-thirds of the members present.

Rule 3 No ordinance or resolution ***appropriating money exceeding the sum of $500***, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the Board.

Rule 4 Items requiring Board action not on the Board's agenda that are proper for Board consideration may be added during the meeting under the Addendum portion of the Agenda by a motion to Amend the Agenda, followed by a second and majority vote of the Board.

Rule 5 ***Discussion of Agenda items*** will occur only after a motion is made.

Rule 6 In any case in which there shall be a ***tie vote*** of the Board upon any question when all of the members are not present, that question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there shall be a tie vote upon any question after complying with this procedure, that tie vote shall defeat the motion, resolution or issue voted upon.

Rule 7 When any motion, resolution, or ordinance has been ***once acted upon*** by the Board it cannot be considered again at the same meeting except by a motion to reconsider. The motion to reconsider cannot be repeated on the same question unless the question was amended when previously reconsidered.

Rule 8 A motion to ***reconsider*** a question which has been decided shall be made by a member who voted with the prevailing side and shall be made at the same meeting of the Board or the next succeeding meeting of the Board. All motions to reconsider shall be decided by a majority vote of the members present.

Rule 9 When the Board wishes to ***annul some action it has previously taken***, a motion to rescind the objectionable resolution, order or other proceeding may be made. Any action of the Board may be rescinded regardless of the time that has elapsed. A motion to rescind is not in order if action has already been taken which cannot be undone.

Rule 10 The County Administrator is hereby authorized to prepare for each meeting a ***consent agenda*** for consideration by the Board. This consent agenda may include any item believed by the County Administrator to be routine and not controversial in nature, for example, resolutions authorizing interdepartmental budget transfers, appropriations, various permits authorized by the Board, referrals to other boards and commissions for appropriate action.

Rule 11 Any member of the Board may request to have any item ***removed from the consent agenda***. Such request need not be seconded. Such item shall then be considered immediately after the consent agenda.

Rule 12 A single motion and roll call vote in favor thereof shall approve all items remaining on the ***consent agenda***.

Rule 13 The County Administrator is hereby authorized to ***provide agendas*** for future Board meetings to those individuals, businesses, or organizations who desire to receive same.

Rule 14 An individual, business or organization shall request the County Administrator on a calendar year basis to ***mail such agendas*** to them. At the end of each calendar year, the County Administrator shall notify all individuals, businesses, or organizations on the agenda list that agendas will no longer be mailed to them unless notification is received by the County Administrator that they desire to continue to receive agendas for the upcoming calendar year.

Rule 15 The County Administrator shall **mail agendas at the public expense** until such time as the annual expense for such mailings exceeds $500. Thereafter, the County Administrator shall bring such practice to the attention of the Board for its consideration.

Rule 16 Individual speakers will be limited to 5 minutes to address the Board during the public address and the public hearing portions of the meeting. ***Applicants and/or agents of land use issues will be limited to 15 minutes to address the Board during the public hearing portion of the meeting.***

Rule 17 Staff and **Delegation** presentations will not exceed 20 minutes unless prior approval is obtained from the Administrator.

Rule 18 The **Board Member report** portion of the Agenda is intended to provide Board Members an opportunity to provide updates and information of a general interest to fellow Board Members, staff and the General Public.

Rule 19 Motions for **tabling** an item shall include conditions for removal from the table.

Rule 20 Board meetings will **adjourn** no later than 11:30 p.m., unless a vote is taken to continue the meeting, with an affirmative vote of two-thirds (2/3) of those members present.

Rule 21 Appointments of individual members of the Board of Supervisors for yearly **appointments** to various Boards, Commissions, Committees, etc., shall be made at the beginning of the year, at the same meeting at which elections of the Chair and Vice Chair occur (the first meeting of each calendar year), unless the appointment to a Board, Commission, or Committee needs to be made by the Board prior to January 1 of the

effective year in which case the appointment will be made prior to the end of the year to be effective January 1, of the following year.

Rule 22 On final vote on any ordinance or resolution, the name of each member voting and how he/she voted shall be recorded.

The vote on the forgoing resolution was as follows:

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

R-FY-14-81
CODE OF ETHICS AND
STANDARDS OF CONDUCT

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2014 as follows:

CODE OF ETHICS

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Montgomery County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States, the Commonwealth of Virginia and Montgomery County, and never knowingly be a party to their evasion.

2. Be loyal to moral principles and the interests of the citizens of the county.

3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.

4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.

5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, gender, age, religion, creed or country of origin. Avoid adopting policies, supporting programs or engaging in Board activities that discriminate against or offend individuals because of race, gender, age, religion, creed or country of origin.

6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispersing of, or requesting, special favors or unfair privileges to anyone, whether for remuneration or not. A member should never request or accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties, or employees.

7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on public duty.

8. Engage in no business with the county government, either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the State and Local Government Conflict of Interest Act.

9. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.

10. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.

11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions to deal with sensitive personnel, legal, contractual or other issues as provided by the Code of Virginia.

12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.

13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board of Supervisors.

14. Review orally and in public session at the annual organizational meeting each of these principles.

15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

16. The Board recognizes that its primary role is to make policy and therefore will focus on issues pertaining to programs, operations and issues.

17. The Board recognizes that discussion of personnel matters are to remain confidential, must be discussed through appropriate channel processes, and that it is the obligation of each Board member to protect the privacy of the individual.

18. Board members will follow the procedure of communicating directly with the County Administrator and the Chairman of the Board. On personnel matters or matters relating to incidents, issues, or problems, the Board will follow the procedure of communicating directly with the Chairman or the County Administrator. Especially in situations where Board members might conceivably be construed as attempting to supervise, direct, or interfere with county personnel and the performance of their duties.

STANDARDS OF CONDUCT

Recognizing that persons holding a position of public trust are under constant observation by the media and interested county residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Montgomery County Board of Supervisors should adhere to the following Standards of Conduct:

1. Avoid, during public meetings and during the performance of public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or personnel.

2. Pay all taxes due to the county, state, or national government.

3. Attend all regularly scheduled meetings of the boards or committees to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.

4. Avoid a private lifestyle that casts public doubt upon the integrity and competence of the county government.

5. Make a conscientious effort to be well prepared for each meeting.

6. Offer criticism of county employees only in private meetings with appropriate individuals or in closed session.

7. Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.

8. Maintain an attitude of courtesy and consideration toward all colleagues.

9. Be tolerant. Allow citizens, employees, or colleagues sufficient opportunity to present their views.

10. Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel or colleagues.

11. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

The vote on the forgoing resolution was as follows:

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

PRESENTATION

The Board of Supervisors presented Steve Sandy, Planning Director, with a plaque of appreciation for his years of service to Montgomery County, July 2000-December 2006 as a Planner and December 2007 – January 2014 as Planning Director. Mr. Sandy is pursuing his calling to be a missionary in Uganda, Africa.

DELEGATIONS

Virginia Department of Transportation

David Clarke, VDOT Residency Administrator, reported that VDOT has been dealing with weather related events over the past month. Mr. Clarke reported that upcoming road projects include finalizing the drainage/ditch project along Wake Forest Road, upgrading the truss bridge near Rowe Furniture in Elliston, and beginning the revenue sharing project to upgrade a section of Blue Springs Road (SR 617) in Montgomery County and working on obtaining right-of-way for the Pulaski County side of Blue Springs Road.

The Board of Supervisors at this time took the opportunity to address road issues in their respective districts.

Supervisor Perkins asked VDOT to take a look at Clay Street, which is a narrow road with some blind curves. She stated that areas along this road get very foggy and hard to see.

Supervisor Biggs asked for an update on the request for a guardrail on a section of Brush Mountain Road.

Supervisor Brown thanked Mr. Clarke and VDOT staff tor the drainage/culvert work in Wake Forest.

PUBLIC HEARINGS

Fiscal Year 2014-2015 County Budget

The purpose of this public hearing is to gather citizen comments on the upcoming 2014-2015 fiscal year budget.

The County Administrator stated this public hearing is to receive comments from citizens on the upcoming FY 15 budget year. County Departments and outside agencies have submitted their budget requests and the staff is in the process of reviewing these requests.

Joe Ivers, School Board Member for District F, thanked the Board of Supervisors for all the hard work they do to make Montgomery County a better place to live and provide a quality of life to the citizens of the county. He hopes the Board of Supervisors and School Board members will continue to work together for the betterment of the children. He thanked the Board for their support in funding education in the County.

Chair Brown noted that the Board of Supervisors received an e-mail from Barbara Skinner to be entered into the record as follows:

> "It was obvious in last week's school board meeting that MCPS is gearing up to ask for more money from the BOS.
>
> I'm convinced that we're not going to improve our lackluster (or worse, in math) achievement until the focus moves from HOW MUCH MONEY to HOW IS OUR MONEY BEING SPENT?
>
> In way of contrast, the Mooresville, NC, school district laid off 10 percent of its staff several years ago and introduced digital/differentiated learning. The results? From Education Week "Educators Study Digital Conversion in Mooresville, N.C." 7/24/13 (emphasis added):
>
> "The Mooresville school district ranks second of 115 school systems in North Carolina by a composite measure of academic achievement in the state, although its per-pupil spending puts it 108th."
>
> I recently reviewed our MCPS achievement results and formulated several questions for the school board and superintendent. I've copied those below.

When will the BOS ask some hard questions about school quality and spending? You hold the county's purse strings. Don't you feel a duty to see that our taxpayers' dollars are being spent prudently and our students are receiving the best education possible?

Why does achievement in MCPS start off average or better in elementary school, decline in middle school, and then score average or worse by high school?

Why is our top high school, BHS, only average compared to other high schools in Virginia?

Why are our 8th grade math results so poor? How are Roanoke County Schools able to score 26 points above the state average on 8th grade math while our schools score 19 points below the state average?

Why do SOLs show much higher proficiencies than NAEP results? Are our SOLs inflating our students' achievement?

Barbara Skinner"

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

Proposed Ordinance Amending Chapter 3, Entitled Animals

Proposed Ordinance Amending Chapter 3, Entitled Animals, of the Code of the County of Montgomery, Virginia in order to comply with State Law Changes Concerning Dangerous and Vicious Dogs Enabling Legislation.

The County Attorney explained that amending the County's Code for Animals is to comply with the changes to the state law concerning dangerous and vicious dogs. The definition of a dangerous dog and a vicious dog has been separated and will be treated as separate categories instead of one. The fee if a dog has been deemed dangerous increased from $50 to $150.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Zac Martin expressed concerns about the lack of an enforceable kennel law in the County. He stated a rental property beside his home has 15 -17 dogs living in unsanitary conditions, which is making their home life unbearable.

The County Attorney provided an update to Mr. Martin's complaint. Montgomery County Animal Control and the Sheriff's Department visited the property in question and found 14 dogs in good condition; however, the living quarters were unsanitary. The owners were charged with failure to maintain animal welfare. He pointed out that the County Code allows kennels by-right

in Agriculture Districts with a licensing fee and can have as many dogs as they like. The County Attorney suggested holding a work session in the future to discuss amending the County Code regarding kennels.

There being no further 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 January 13, 2104 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the minutes dated July 8, 2013 were approved.

Appropriations and Transfers

A-FY-14-66
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM

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:

200	Commonwealth's Attorney	$7,204

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

Revenue Account		
419104	Confiscations	$7,204

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

A-FY-14-67
FIRE PROGRAM FUND ALLOCATION

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:

23311	Fire Program Fund Distribution	$165,349

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

Revenue Account		
424401	Fire Program Fund Distribution	$165,349

Said resolution appropriates funds received from the Fire Program Fund for use by volunteer fire departments.

A-FY-14-68
HEALTH DEPARTMENT
TRANSFER FROM GENERAL CONTINGENCIES

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 a transfer of appropriation is hereby authorized, as follows:

FROM:		
950	General Contingencies	($28,126)

TO:		
530	Public Health Department	$28,126

Said resolution transfers appropriated funds from General Contingencies to the Public Health Department for the County's match requirement for state funding.

A-FY-14-69
INFORMATION TECHNOLOGY
TRANSFER FROM THE TECHNOLOGY FUND
FOR PARKS AND RECREATION ON-LINE REGISTRATION AND
COUNTY/SCHOOL FINANCIAL SYSTEMS CONSOLIDATION

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:

140	Information Technology	$202,612

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

45120	Designated Fund Balance Technology Reserve	$202,612

Said resolution appropriates funds for the Finance System Consolidation Project between the County and the Schools and to upgrade Parks and Recreation's on-line registration system.

A-FY-14-70
REVENUE SHARING
OLD SOURWOOD ROAD (SR 717)

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:

930	VDOT Revenue Sharing	$30,000

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

Revenue Account		
419103	Recovered Costs	$15,000
451203	Undesignated Fund Balance	$15,000
	Total	$30,000

Said resolution appropriates funds from undesignated fund balance to cover the costs of improvements to Old Sourwood Road (SR 717).

A-FY-14-71
SHERIFF
APPROPRIATION OF 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	$111,303

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

Revenue Account		
424401	State Grants	$111,303

Said resolution appropriates monies from an Office of the Attorney General (OAG) grant of federal asset forfeiture monies.

A-FY-14-72
SHERIFF – RECOVERED COSTS

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:

320	Sheriff County	$17,047

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

Revenue Account		
419108	Recovered Costs	$11,622
419104	Confiscations	$ 5,425
	Total	$17,047

Said resolution appropriates recovered costs and asset forfeitures.

R-FY-14-82
SUPERVISOR MARY BIGGS
LOCAL GOVERNMENT TRANSITION COUNCIL

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

WHEREAS, Supervisor Mary W. Biggs has been invited to serve on the Local Government Transition Council.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia endorses Supervisor Biggs' participation on the Local Government Transition Council.

BE IT FURTHER RESOLVED, The Board of Supervisors authorizes the County Administrator to reimburse Supervisor Biggs for expenses arising from attendance at committee meetings.

ORD-FY-14-18
AN ORDINANCE VACATING A LOT LINE AND
PUBLIC UTILITY AND PUBLIC DRAINAGE EASEMENT
BETWEEN LOTS 71 AND 72 LOCATED IN PHASE 3 OF THE INDIAN RUN
INVESTMENT COMPANY SUBDIVISION RECORDED IN PLAT BOOK 7, PAGE 170
IN THE MONTGOMERY COUNTY CIRCUIT COURT CLERK'S OFFICE
RICHARD W. AND KRISTI RENTFROW

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

WHEREAS, Richard W. Rentfrow and Kristi R. Rentfrow have requested the Montgomery County Board of Supervisors to vacate a lot line and a public utility and public drainage easement between lots 71 and 72 located in Phase 3 of the Indian Run Investment Company subdivision recorded in plat book 7, page 170 in the Montgomery County Circuit Court Clerk's office, as shown more particularly on the Plat entitled "Plat of Boundary Line Vacation From Records of Tax Parcels 29-5-71 and 29-5-72 for Richard W. Rentfrow & Kristi R. Rentfrow Located in Indian Run Investment Company Subdivision, Phase No. 3" dated December 12, 2013, plat prepared by Anderson & Associates, Inc. (the "Plat"); and

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

NOW THEREFORE, BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors in accordance with Section 15.2-2272 of the Code of Virginia, as amended, hereby authorizes the vacation of a lot line and a public utility and public drainage easement between lots 71 and 72 located in Phase 3 of the Indian Run Investment Company subdivision recorded in plat book 7, page 170 in the Montgomery County

Circuit Court Clerk's office, as shown more particularly on the Plat entitled "Plat of Boundary Line Vacation From Records of Tax Parcels 29-5-71 and 29-5-72 for Richard W. Rentfrow & Kristi R. Rentfrow located in Indian Run Investment Company Subdivision, Phase No. 3" dated December 12, 2013, plat prepared by Anderson & Associates, Inc. (the "Plat"); and

BE IT FURTHER ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair to sign the respective plat for recordation.

This Ordinance shall take effect upon adoption.

R-FY-14-83
PUBLIC SERVICE AUTHORITY
APPOINTMENTS

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 **M. Todd King** is hereby appointed to the **Public Service Authority** effective January 14, 2014 and expiring December 31, 2017 or until a successor is elected.

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that **Annette S. Perkins and Gary D. Creed,** are hereby reappointed to the **Public Service Authority** effective January 14, 2014 and expiring December 31, 2017 or until a successor is elected.

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-14-84
MONTGOMERY REGIONAL ECONOMIC DEVELOPMENT COMMISSION
REAPPOINT TOWN OF CHRISTIANSBURG REPRESENTATIVE

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 **John T. Overton** as a Town of Christiansburg representative to the **Montgomery Regional Economic Development Commission** effective January 1, 2014 and expiring December 31, 2016.

R-FY-14-85
APPOINT COUNTY ADMINISTRATOR
AS INTERIM SUBDIVISION AGENT

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

BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby appoints F. Craig Meadows as Interim Subdivision Agent for the purposes of carrying out the responsibilities of administering the Montgomery County Subdivision Ordinance.

NEW BUSINESS

R-FY-14-86
BOARD OF SUPERVISORS ANNUAL APPOINTMENTS TO
BOARDS AND COMMISSIONS FOR 2014

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 following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2014 and expiring December 31, 2014:

Board/Commission	Supervisor
AFD Advisory Board	Christopher A. Tuck
Chamber of Commerce Liaison	William H. Brown (Chair) Mary W. Biggs (Vice-Chair)
County/School Liaison	F. Craig Meadows (County Administrator) William H. Brown (Chair)
Economic Development Alliance (NRV)	F. Craig Meadows (County Administrator) Annette S. Perkins (Chair or Designee)
Economic Development Commission (Montgomery Regional)	Matthew R. Gabriele
Fairview District Home Board	Annette S. Perkins M. Todd King (Alternate)
Fairview Home, Inc. Board of Directors	L. Carol Edmonds (County Admin/Designee)
Legislative Liaison	Mary W. Biggs

Library Board Liaison	Mary W. Biggs
Metropolitan Planning Organization (MPO)	Annette S. Perkins (Board Member) Matthew R. Gabriele (Alternate) F. Craig Meadows (County Administrator)
Montgomery County Improvement Council (MCIC)	Christopher A. Tuck
Parks & Recreation Commission Liaison	M. Todd King
Planning Commission Liaison	Christopher A. Tuck Mary W. Biggs (Alternate)
Road Viewers Board	All Board Members
Transportation Safety Commission	Gary D. Creed
Virginia Tech Liaison	F. Craig Meadows (County Administrator)

BE IT FURTHER RESOLVED, 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.

BE IF 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.

The vote on the forgoing resolution was as follows:

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

R-FY-14-87
RESOLUTION OF APPRECIATION
MONTGOMERY COUNTY SCHOOL BOARD
PHYLLIS T. ALBRITTON

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

WHEREAS, Phyllis T. Albritton has faithfully served as a member of the Montgomery County School Board from September 2007 through December 31, 2013; and

WHEREAS, Her years of service have been marked by her dedication to the interests of the students who attend the Montgomery County Public Schools and the members of the Board of Supervisors recognize the enormous responsibility undertaken by members of the Montgomery County School Board.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***Phyllis T. Albritton*** for her outstanding public service.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Phyllis T. Albritton*** and that a copy be a part of the official minutes of Montgomery County.

The vote on the forgoing resolution was as follows:

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

R-FY-14-88
RESOLUTION OF APPRECIATION
MONTGOMERY COUNTY SCHOOL BOARD
DREMA FOSTER

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Drema Foster has faithfully served as a member of the Montgomery County School Board from January 1, 2010 through December 31, 2013; and

WHEREAS, Her years of service have been marked by her dedication to the interests of the students who attend the Montgomery County Public Schools and the members of the Board of Supervisors recognize the enormous responsibility undertaken by members of the Montgomery County School Board.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***Drema Foster*** for her outstanding public service.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Drema Foster*** and that a copy be a part of the official minutes of Montgomery County.

The vote on the forgoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following items:

- Planning Director – Interviewing the finalists
- Former Board member James Politis is serving on the VA CARES Board of Directors. Mr. Politis is requesting the Board of Supervisors provide a letter of support for him to continue serving on the VA CARES Board of Directors. The County would not be liable for any expenses incurred by Mr. Politis while attending any meetings of the VA CARES.

  By consensus, the Board of Supervisors supported James D. Politis in continuing to serve on the VA CARES Board of Directors.

BOARD MEMBERS REPORTS

All Board members welcomed Supervisor Todd King to the Board.

Supervisor Biggs reported Hugh Pendleton, Campbell County Board of Supervisors member, passed away recently. Mr. Pendleton also served on the Virginia Association of Counties Board of Directors. He was instrumental in getting her elected to the VACo Board of Directors representing Region 10. Supervisor Biggs asked staff to send a letter of condolence to the family of Mr. Pendleton and copy to the Campbell County Board of Supervisors.

Supervisor Tuck expressed concerns with the lack of discussion and planning regarding the former Blacksburg Middle School property. Supervisor Tuck suggested that the Board invite the Blacksburg Town Council for a meeting in order to discuss the development of this property and get it back on track. The invitation should state that the Board of Supervisors will meet any place, anytime, anywhere in the next six weeks so the County in move forward with the sale of the property and bring in millions of dollars to our schools. He stated we owe it to the School Board to get this project moving forward.

Supervisor Tuck made a motion, seconded by Supervisor Perkins, to send an invitation to the Blacksburg Town Council to discuss how both the County and Town can move forward.

The Board of Supervisors discussed Supervisor Tuck's motion in depth. Supervisor Creed called the question and asked that a vote be take on the motion. Supervisor Gabriele made a motion to amend the resolution to include the potential developer in the invitation. Supervisor Gabriele commented he does not think this is a proper political move for the Board of Supervisors to make and also objected on procedural grounds that a resolution was offered during Board reports.

R-FY-14-89
INVITATION TO THE BLACKSBURG TOWN COUNCIL
FOR A MEETING TO DISCUSS THE
OLD BLACKSBURG MIDDLE SCHOOL PROPERTY

On a motion by Christopher A. Tuck, seconded by Annette S. Perkins and carried,

WHEREAS, The former Blacksburg Middle School property ("OBMS") was conveyed to the County by the Montgomery County School Board on April 20, 2010; and

WHEREAS, The Town of Blacksburg and the Montgomery County Board of Supervisors worked cooperatively to develop a master plan for the redevelopment of the OBMS site; and

WHEREAS, The Board of Supervisors subsequently entered into purchase agreements with Modea and Fiddlers' Green Partners, LLC ("potential purchasers"), for the sale of the OBMS site for development; and

WHEREAS, Fiddlers' Green and Modea submitted a proposed rezoning plan for the OBMS site in March 2013 that, after review with the Town, was later withdrawn in June 2013 due to concerns by the Town that the plan did not meet the master plan for the redevelopment of the site; and

WHEREAS, The Board of Supervisors wishes to sit down and talk with the Town in an effort to find a resolution to the concerns regarding the development of this property, so that the property may be redeveloped and returned to the tax rolls of the County and the Town as soon as possible.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board hereby extends an invitation to the Council of the Town of Blacksburg to meet together within the next six weeks at a location agreeable to the Town to discuss how the parties may develop a plan to move forward with the sale and development of this important property;

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby requests that the meeting include the potential purchasers of the property.

The vote on the forgoing resolution was as follows:

AYE	NAY
Gary D. Creed	Matthew R. Gabriele
M. Todd King	
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
William H. Brown	

Supervisor Biggs stated for the record that she would like to see the wording of the resolution before it is sent to the Town of Blacksburg. She believes that this issue is critical and needs to be handled correctly.

Supervisor Perkins stated for the record that she also would like to see the resolution after it has been prepared. She believes the motion offered by Supervisor Tuck is an invitation and not a demand for a meeting.

Board Reports Continued

Supervisor Gabriele attended the School Board meeting. The School Board voted Wendell Jones as Chair, and Joe Ivers as Vice-Chair. A budget work session has been scheduled for January 14, 2014 at 7:00 p.m.

Community Conversations Meeting - Supervisor Gabriele asked if staff could schedule a Community Conversations meeting in the spring or sooner.

Supervisor King expressed his appreciation to fellow Board members for making him feel welcomed and to county staff for their help. He attended the Virginia Association of Counties new Supervisor forum in Richmond on January 3-5, 2014. He is looking forward to working with the Board and serving the citizens of the County.

Supervisor Brown thanked fellow Board members for the vote of confidence in electing him Chair for 2014.

ADJOURNMENT

The Chair declared the meeting adjourned to Saturday, January 25, 2014 at 9:00 a.m. for an all-day work session. The meeting adjourned at 9:20 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 25th DAY OF JANUARY, 2014 AT 9:00 A.M. IN THE SECOND FLOOR MULTI-PURPOSE ROOM, 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 11:05 a.m., left at 2:50 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney

CALL TO ORDER

The Chair called the meeting to order.

INTO WORK SESSION – 9:00 a.m.

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

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

1. Welcome and overview of day
2. Review and discussion of Board vision statement/priorities
3. Discussion of topics/issues of interest to the Board

The vote on the forgoing motion was as follows:

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

Supervisors Perkins arrived at 11:05 a.m.
Supervisors Perkins left at 2:50 p.m.

OUT OF WORK SESSION – 3:45 p.m.

On a motion by Christopher A. Tuck, 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:

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

INTO CLOSED MEETING

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

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

Section 2.2-3711 (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Falling Branch Corporate Park

(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. Personnel

The vote on the forgoing motion was as follows:

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

OUT OF CLOSED MEETING

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

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

The vote on the forgoing motion was as follows:

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

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAYS
None

ABSENT DURING VOTE
Annette S. Perkins

ABSENT DURING MEETING
Annette S. Perkins

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, January 27, 2014 at 6:30 p.m. The meeting adjourned at 4:55 p.m.

APPROVED_____ATTEST:_____

William H. Brown
Chair

F. Craig Meadows
County Administrator