AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 27th DAY OF MAY, 2014 AT 6:30 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
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Karen Drake	-Planning Director
	Dari Jenkins	-Zoning Administrator
	Brea Hopkins	-Development Planner
	Erin Puckett	-Planning Senior Program Assistant
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by 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 (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 Service Board

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

1. Former Blacksburg Middle School

The vote on the forgoing motion was as follows:

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

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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
M. Todd King	None
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
William H. Brown	

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Proposed Ordinance Establishing the Stormwater Management Ordinance
Establishing the Montgomery County Stormwater Management Ordinance, Section 8-70, Et Seq of the Code of the County of Montgomery, by creating stormwater management requirements.

The County Attorney stated the purpose of this Ordinance is to ensure the general health, safety, and welfare of the citizens of Montgomery County and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater

requirements related to water quality and quantity shall be administered and enforced. This ordinance provides the framework for the administration, implementation, and enforcement of the provisions of the Virginia Stormwater Management Act and delineates the procedures and requirements to be followed in connection with permits issued by the local VSMP Authority, Montgomery County.

The County Administrator reported that Montgomery County hired Doug Burton as the County's Director of Engineering and Regulatory Compliance and will oversee the stormwater management program. He thanked Carolyn Howard with Draper Aden and Associates for her help in drafting the stormwater management plan and making sure all state requirements were met.

There being no speakers, the public hearing was closed.

Rezoning Request and Special Use Permit – Taylor Hollow Management

A request by Montgomery County Board of Supervisors and Taylor Hollow Management (Agent: Balzer & Associates) for rezoning of approximately 3.328 acres from Agriculture (A1) to Traditional Neighborhood Development-Infill (TND-I) for multi-family residential and limited commercial uses, and 5.00 acres from Agriculture (A1) to Residential Multi-Family (RM-1), with possible proffered conditions, to allow multi-family residential uses. In addition, a special use permit (SUP) is requested in the Traditional Neighborhood Development-Infill (TND-I) District to allow senior housing and a farm market. The property is known as the former Prices Fork Elementary School and is located at 4237 Prices Fork Road, Blacksburg, Virginia identified as Tax Parcel No. 052-A-50, (Acct No. 070688), in the Prices Fork Magisterial District (District E).

Brea Hopkins, Development Planner, summarized the rezoning and special use permit request by Taylor Hollow Management. The applicants are requesting rezoning of approximately 3.328 acres from Agriculture (A1) to Traditional Neighborhood Design Infill (TND-I) and 5.00 acres from Agriculture (A1) to Residential Multi-Family (RM-l), with possible proffered conditions, to allow multi-family residential, residential, and limited commercial uses.

In addition, a special use permit (SUP) is requested in the Traditional Neighborhood Development-Infill (TND-I) District to allow senior housing and a farm market.

There are three (3) phases proposed in the redevelopment of the property. Phase I includes renovation of the interior of the existing school building to allow senior housing units and commercial uses such as a daycare facility, medical offices, small-scale retail store, a community based restaurant, and/or a farm market to allow local foods to be distributed. Based on market demands, Phase II includes the development of the 5.00 acre portion of the property to include multi-family housing. Phase III of the Montgomery County & Taylor Hollow Rezoning Request includes a potential addition to the existing school building for additional senior housing units. There will be a maximum of thirty-six (36) senior housing units in Phase I & III.

At their May 14, 2014 meeting, the Planning Commission recommended approval of the request with fourteen (14) proffered conditions.

Joe Fortier, Taylor Hollow Management, provided additional information for the proposed development of the former Prices Fork Elementary School. Community meetings were held to solicit residents' input on the development. There is a strong desire to preserve the old school building. The residents of Prices Fork want to preserve the school building and leave the five acres behind the school as open space. However, for a private developer, they cannot justify leaving the entire five acres as open space. Taylor Hollow is still refining the plans for Phase II that would develop the five acres into multi-residential housing.

Michael Berg commented that Phase I, the rezoning of approximately 3.328 acres from Agriculture (A1) to Traditional Neighborhood Development-Infill (TND-I) for multi-family residential and limited commercial uses, appears to be in the scope of the vision defined in the County's Prices Fork Village Plan 2025 (PFVP 2025). Mr. Berg stated that Phase II, the rezoning of 5.00 acres from Agriculture (A1) to Residential Multi-Family (RM-1), with possible proffered conditions, to allow multi-family residential uses, is not consistent with PFVP 2025 and the Board should not grant an RM-1 designation, but rather something more consistent with the surrounding area such as Transition Medium Development (TMD-I) or the medium density R-2. Mr. Berg did commend the County and the Developer in developing what potentially could be an excellent asset in repurposing the old PFES building. He urged the Board to carefully consider the appropriate use of the back 5 acres and to encourage the developer to preserve the historical assets of the village.

Bennett Teates submitted the following comments:

"Thank you for working with the local developer, Joe Fortier, to preserve the Old Prices Fork Elementary School (OPFES). He has identified three phases of development to take place over the course of the next several years.

Last week the planning commission approved all three phases of the potential building construction that will occur on the OPFES property. Community members that attended the meeting endorsed Mr. Fortier's work and recognized the success he has had with renovations. Community members did voice concern about the lack of information that was provided about the development of the back five acres and the apparent lack of experience he has with building totally new housing. We are counting on the Board of Supervisors (BOS) to provide thorough and well thought support for the county and the community of Prices Fork prior to giving Mr. Fortier complete autonomy.

As for our concerns regarding the three phases of development:

Phase I
In Phase I his plan sounds like something that will be an appropriate asset to the community as well as the county. In Phase I he provided some concepts regarding his planned use of the current building (senior housing, farmers market/community kitchen, day care center), use of historic tax credits and preservation of the building. As a community we applaud the county and his efforts for Phase I.

Phase III
It "sounds" like a project as similar to Phase I as it would be an extension to the current building. We understand this to be more senior housing. We hope that as the BOS you would receive a more definitive answer to what Phase III would be prior to your final approval.

Phase II
From a community perspective, ten years ago in good faith we worked with the county to develop a village plan just as Riner and Elliston did. The plan became part of the county's comprehensive plan. Within the village plan the community calls for 1.2 dwelling units per acre for the Historical Village Neighborhood (the subject property lies in the Historic Village Neighborhood). The concern is that the county applied far broader (much higher density) numbers to the land in the back five acres. The BOS, or a county representative, should explain why the Prices Fork Village Plan guidelines appear to have been ignored in the action taken by your Planning Commission. Further, it seems out of normal zoning procedure to rezone a property that has no details as to what is to be expected. Accordingly, it appears appropriate that the BOS impose or the developer/applicant for rezoning offer proffers that put boundaries and conditions on what will ultimately be developed.

Conditions that the BOS Should Impose or the Applicant should proffer:

1. Given that the developer has offered no details as to what can be expected on the back five acres, the community is looking for some assurances in writing that the new development deriving from the rezoning of the back five acres to RM-1 will "fit" into and indeed enhance the community. As you consider the zoning application for the back five acres, we request you require the developer to abide by a neo-traditional architectural style of any new residential development so as to be consistent with the Historic Neighborhood Village in which this site is located.

2. The best and highest use within the zoning designation should be one that, over the long run, provides the best return to the County and the Community. We believe these two objectives are best met with housing that would attract buyers or renters who will be economic assets to the area, not burdens on the County or the community. With no detail from the developer as to what may be placed in the area in question, we request the BOS establish criteria that all new housing will be targeted at or above 80% of the area's Median Income (AMI, which was $60,500 for Montgomery County in 2013). We do not want replicated the LMI housing project that was developed on Peppers Ferry Road in the Belmont community or the one being currently developed on Merrimac Road.

3. We request the BOS require the developer to establish a Home Owners Association and have a property manager for both the Front and Back zoning areas.

Lastly, could the BOS suggest that the developer's advisory board have someone from the Prices Fork Community, who is willing, to be on the advisory board."

Chuck Shorter spoke in favor of Phase I of the proposed development; however, he expressed concerns with Phase II, the development of the back 5 acres for multi-residential housing. Mr. Shorter stated that the area has enough low income housing like the ones on Peppers Ferry Road and Prices Fork Village does not need this type of housing. He also expressed concern with the number of parking spaces for the commercial use and the need for a VDOT standard road.

Jessica Schultz supports mixed income housing in Montgomery County. Ms. Schultz stated she is a graduate student and would like to be able to own a home but cannot afford a $250,000 house.

Walter Johnson expressed concerns with not knowing the type of housing that will be constructed on the back 5 acre lot. Mr. Johnson is concerned about the children from the new development playing on the adjoining farm land and getting hurt. He believes Prices Fork Road needs to either have a stoplight or speed bumps to keep the speed down on the road. The current speed limit is 35 mph; however, the majority of the vehicles are traveling 50-55 mph. Mr. Johnson also expressed concerns with the placement of new sewer lines as the existing lines are on his property.

Steve Semones with Balzer & Associaties, the design consultant for Taylor Hollow Management, provided additional information about the project. Mr. Semones stated that a site plan concept has been submitted for Phase I and has met the requirements with the County/VDOT for parking for the commercial use. He addressed the question from some citizens as to why the back 5 acres could not be a TMD-1 zoning instead of RM-1. He stated the county actually has more protection in place with zoning with the RM-1 than with the TMD-1. TMD-1 allows for more units and less open space. They are still in discussions with VDOT and also working on getting bus service from Blacksburg Transit and Radford Transit to the development. Mr. Semones reported that this development is not a Section 8 housing development.

Heather Pettus questioned the reasoning behind not requiring a more detailed plan for the back 5 acres of the property. She understands the need for a quick turn-around on the sale of property and approving the rezoning of the entire lot at one time. Ms. Pettus urged the Board to make the best decision for the Prices Fork community.

J.D. Jones expressed his concerns with the rezoning of the back 5 acres. He urged the Board to impose strict proffers in order for the developer to have to abide by them when Phase II is ready to be developed.

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

Ordinance Amendment – Zoning Ordinance Section 10-21, 10-48 and 10-61 **(THIS PUBLIC HEARING WAS CONTINUED)**

An ordinance amending Chapter 10, entitled Zoning, of the Code of the County of Montgomery, Virginia by amending Section 10-21 by allowing the removal or filling of clean earth fill by special use permit in the A-1 Agricultural district, by amending section 10-48 creating certain additional regulations applicable for a special use permit allowing the removal or filling of clean earth fill and by amending Section 10-61 by creating a definition of clean earth fill defining what soil material make-up shall be considered clean earth fill.

The County Attorney reported that the Planning Commission, at their May 21, 2014 meeting, tabled action on this item. He recommended continuing this public hearing until the Planning Commission takes action and forwards its recommendation to the Board.

The Chair commented that since the public hearing has been advertised, the Board will still hear any comments from citizens.

There being no speakers, the public hearing was continued to such time as the Planning Commission has taken action and forwarded its recommendation to the Board of Supervisors.

Ordinance Amendment – Zoning Ordinance Section 10-31 and 10-61

An ordinance amending Chapter 10, entitled Zoning, of the Code of the County of Montgomery, Virginia by amending Section 10-31 (3) by allowing a contractor's service establishment as a by right use in M-L Manufacturing Light zoning district and by amending Section 10-61, the definition of contractor's service establishment to clarify that the outdoor storage of equipment and/or materials is prohibited.

Erin Puckett, Planning Senior Program Assistant, provided a summary on the proposed changes. The proposed changes were prompted by a citizen request regarding proposed construction of a building for a contractor's service establishment in a Manufacturing-Light (M-L) zoning district. Upon learning that this was not an allowed use in an M-L district, the citizen requested that an amendment be made to the ordinance to allow such a use.

"Contractor's service establishment" is currently allowed in the General Business (GB) District by special use permit (SUP) and in the Manufacturing (M-1) District by-right. It would be reasonable to consider adding the same use to the Manufacturing-Light (M-L) District by-right, given that it will not include the outdoor storage associated with the related but different "contractor's storage yard" use.

The proposed amendments will allow contractor's service establishments by-right in the M-L zoning district, said use already being allowed in M-1 zoning districts by-right, and in GB by special use permit. The proposed modification to the definition will help clearly delineate between this use and contractor's storage yard, thus helping to prevent any confusion over whether outdoor storage is allowed, and keeping the scope of associated impacts in line with those uses already allowed in the M-L district.

At their May 21, 2014 meeting, the Planning Commission recommended approval of the proposed amendments, but recommended against the amendment to clarify the definition of "contractor's service establishment", as presented at the meeting. The Planning Commission further directed staff to draft language that outdoor storage may be appropriate for these service establishments, given that they would be reviewed under a special use permit. Staff's recommendation to address the Planning Commission's request is the defining of a new use, "contractor service establishment with permitted outdoor storage of equipment and/or materials" to be allowed by special use permit in Manufacturing (M-l) and Manufacturing Light (M-L). The draft ordinance, prepared by the County Attorney, addresses these concerns.

Doug Hardymon asked the Board to consider taking action on the proposed ordinance at their meeting tonight. Mr. Hardymon stated he has several businesses considering locating at the Plum Creek business park and would like for this ordinance to be adopted sooner than later.

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

RECESS

The Board took a 10 minute recess at 9:00 p.m. and reconvened at 9:10 p.m.

Special Use Permit – City of Radford – Telecommunications Tower

A request by the City of Radford (Agent: Verizon Wireless) for a Special Use Permit (SUP) on approximately 100 acres in an agricultural (A-1) zoning district to allow a 199 ft. monopole telecommunications tower. The property is located at 5480 Peterson Drive, Radford, Virginia and is identified as Tax Parcel No. 102-A 16, 17 (Acct No. 071097) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

Dari Jenkins, Zoning Administrator, provided a summary of the request. The City of Radford (Agent:Verizon Wireless) is requesting a Special Use Permit (SUP) to allow a 199 ft. telecommunication tower in an Agricultural (A-1) zoning district. This request is made on behalf of Verizon Wireless to enhance network coverage for Interstate 81, the nearby secondary roads, network coverage for emergency responders, business operations in the area, and residents in the area. The proposed new tower will be used by Verizon and be available for possible use by three (3) additional cellular providers. A provision has been made to allow Montgomery County Emergency Services and/or City of Radford Emergency Services a position on the tower.

The parcel on which the proposed tower will be located is approximately 100 acres, in an area with significant vegetative buffer. The applicant's agent has indicated that minimal thinning of the existing vegetative buffer will be necessary to construct the tower; therefore the applicant is proposing a nine foot (9) high chain link fence with no landscaping to screen the base of the tower and ground equipment.

At their May 21, 2014 meeting, The Planning Commission discussed the need for additional telecommunications coverage in the area. Jeff Geiger, Attorney for Verizon Wireless, advised the Commission that Verizon could meet their coverage objective with modified flush mounted antennas at a maximum of 150 ft. in height; however, he indicated that additional towers would likely be needed in the area to provide service for other cellular providers.

One Planning Commission member felt the proposed tower at a height of 199 ft. and also without flush mounted antennas is inconsistent with the Montgomery County 2025 Comprehensive Plan. Other commissioners indicated they would prefer to see one taller tower without flush mounted antennas to achieve maximum coverage for any colocation opportunities rather than see multiple shorter towers to accomplish the same coverage objective with less impact to the view shed.

The Planning Commission recommended approval of the request with thirteen (13) conditions at the total overall height of 199 ft. inclusive of the proposed lightening rod with a maximum ground elevation of 2,032.6 feet.

The Board of Supervisors discussed this request at length. They discussed the request for a 199 ft. tower opposed to a 150 ft. tower and the need to have room for colocation. The Board agreed that they need to balance the aesthetic desires of the citizens with the need for adequate cellular coverage in the area. They also discussed the request for flush mount antennas versus full array antennas.

Jeff Geiger, Attorney for Verizon Wireless, addressed the Board regarding Verizon's request. Mr. Geiger clarified what coverage area could be accomplished with a 199 ft. tower versus a 150 ft. tower. He provided maps showing the different tower heights with flush mount antennas and

full array antennas and what coverage area could be accomplished at the different heights. Mr. Geiger addressed the benefit of a taller tower in order to provide colocation to other cellular carriers. He requested the Board to accept the Planning Commission recommendations to approve the request for a 199 ft. tower height.

There being no speakers, the public hearing was closed.

ADD TO THE AGENDA – ADDENDUM

On a motion by M. Todd King, seconded by Christopher A. Tuck and carried unanimously, the Addendum dated May 27, 2014 was added to the agenda under New Business as follows:

Ordinance Amendment – Zoning Ordinance Section 10-31 and 10-61
An ordinance amending Chapter 10, entitled Zoning, of the Code of the County of Montgomery, Virginia by amending Section 10-31 (3) by allowing a contractor's service establishment as a by right use in M-L Manufacturing Light zoning district and by amending Section 10-61, the definition of contractor's service establishment to clarify that the outdoor storage of equipment and/or materials is prohibited.

The vote on the foregoing motion was as follows:

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

PUBLIC ADDRESS

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

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously, the Consent Agenda dated May 27, 2014 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously, the minutes dated December 16, 2013 were approved.

Appropriations and Transfers

A-FY-14-98
CLERK OF CIRCUIT COURT
RECORD PRESERVATION GRANT
CARRYOVER FY 13 BALANCE

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele 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:

251	Clerk of Circuit Court	$6,195

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

Revenue Account		
451205	Designated Fund Balance	$6,195

Said resolution appropriates the Record Preservation Grant Fund balance as of June 30, 2013 to be used to restore record books.

A-FY-14-99
COUNTY CAPITAL PROJECTS – ANIMAL SHELTER
TRANSFER FROM ANIMAL SHELTER RESERVE

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele 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:

451209	Transfer to County Capital Projects	$1,000,000

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

451203	Fund Balance – Animal Shelter Reserve	$1,000,000

BE IT FURTHER RESOLVED, The County Capital Projects 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:

12340 Animal Shelter $1,000,000

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

451100 Transfer from General Fund $1,000,000

Said resolution appropriates funds from the Animal Shelter Reserve to the County Capital Projects Fund.

A-FY-14-100
EMERGENCY SERVICES GRANT

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

BE IT RESOLVED, By the Montgomery County Board of Supervisors 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:

111 Emergency Services Grants $40,000

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

Revenue Account
02111-424401 State Grants $40,000

Said resolution appropriates State Homeland Security Grant funds.

R-FY-14-153
TRANSPORTATION SAFETY COMMISSION
APPOINT BLACKSBURG POLICE CHIEF
ANTHONY WILSON

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Anthony Wilson, the Town of Blacksburg Police Chief,** to the **Transportation Safety Commission** effective May 28, 2014 and expiring August 12, 2016.

Said appointment fills the unexpired term of Kim Crannis, retired.

R-FY-14-154
APPOINTMENTS
FIRE AND RESCUE COMMISSION

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints/reappoints the following individuals to the **Fire and Rescue Commission** effective May 28, 2014 and expiring May 27, 2017:

Blacksburg Fire Department	Chief Keith Bolte or designee
Blacksburg Rescue Squad	Chief John O'Shae or designee
Christiansburg Fire Department	Chief Billy Hanks or designee
Christiansburg Rescue Squad	Chief Joe Coyle or designee
Elliston Fire Department	Chief Clyde Hodges or designee
Shawsville Rescue Squad	Chief John Akers or designee
Long Shop/McCoy Fire Department	Chief Gary Akers or designee
Long Shop/McCoy Rescue Squad	Chief Steve Shelor or designee
Riner Fire Department	Chief Joe Lucas or designee
Riner Rescue Squad	Captain Jason Roop or designee
Town of Blacksburg	Steve Ross
Town of Christiansburg	Matt Carroll
Board of Supervisors	William H. Brown
County Administrator	F. Craig Meadows

BE IT FURTHER RESOLVED, That appointment of members of the volunteer Fire Department or Rescue Squad are contingent upon active membership of the volunteer Fire Department or Rescue Squad; and

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; and

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-14-155
NEW RIVER VALLEY PLANNING DISTRICT COMMISSION
REAPPOINT RAY CHAMBERS

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Ray Chambers** to the **New River Valley Planning District Commission,** effective July 1, 2014 and expiring June 30, 2017.

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. FY 15 State Budget

The vote on the foregoing motion was as follows:

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

FY 15 State Budget

Carol Edmonds, Deputy County Administrator, provided an update on the FY 15 State Budget. Traditionally, the State of Virginia adopts a budget for each biennium. If the State fails to adopt a budget for FY 15 before July 1, 2014, the operations of the County will be affected. The FY 15 County budget includes $16 million in state resources dedicated to County operations. The FY 15 School budget includes $50.5 million in state resources dedicated to School operations.

An analysis of expenditures and revenues over the past nine months was conducted to determine how long the County can operate without state monies. If the County continued operations as normal, the County could continue to operate for approximately 3 months before all available funds would be expended.

The County would also need to know how long the following agencies in the County who rely heavily on state funding for operation support could operate:

- Montgomery County Public Schools
- Sheriff's Department
- Western Virginia Regional Jail
- Department of Social Services

Also, will clients of state agencies be relying on locally supported outside community agencies?

Ms. Edmonds provided three alternatives to consider if the state does not approve the FY 15 budget by July 1:

Alternative 1 – Appropriate the County's total fiscal year budget. The county could operate for approximately 3 months before monies are exhausted.
Alternative 2- Develop a plan to reduce services and only appropriate those monies ensuring funds are available for these services for longer than 3 months.

Alternative 3- Appropriate County expenditures in an amount to cover both the County and state funding obligations for a one month period to give the state additional time to approve a budget.

Staff recommendation is Alternative 3. By appropriating County monies for a shorter period of time, the County can continue operations without being required to cover the state's portion beyond a one month period. If the state does not approve a budget, the County would have additional time to develop a plan to limit operations to County only funded services.

The Board will need to adopt an appropriation resolution prior to July 1 for the County to continue to operate. Staff will prepare a partial or full appropriation depending on what the state does over the next month.

OUT OF WORK SESSION

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

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

The vote on the foregoing motion was as follows:

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

OLD BUSINESS

R-FY-14-156
RESOLUTION APPROVING THE
SIX-YEAR ROAD IMPROVEMENT PLAN
FOR SECONDARY ROADS FOR FY 2014/15-2019/20

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

WHEREAS, The Board of Supervisors of Montgomery County, Virginia in cooperation with representatives of the Virginia Department of Transportation, have prepared a proposed Six-Year Plan for Montgomery County listing improvements proposed on the State Secondary

Highway System in Montgomery County for which funds are to be budgeted in fiscal years 2014/15-2019/20; and

WHEREAS, A duly advertised public hearing was conducted at the Montgomery County Government Center in Christiansburg, Virginia at 7:15 p.m. on Monday, May 12, 2014 for the purpose of informing interested citizens of the proposed Six-Year Plan and for soliciting public input into the planning process in accordance with Section 33.1-70.01 of the Code of Virginia of 1950, as amended; and

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

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby approves the Six-Year Plan for Improvement of the State Secondary Highway System in Montgomery County for fiscal years 2014/15-2019/20 as shown below:

MONTGOMERY COUNTY
Secondary Six Year Plan
(2014/15 through 2019/20)

Priority	Route #	Road Name	From: To:	Description
0	VAR	VAR	----	Countywide
1	639	Mt. Pleasant Road	From 0.10 mi. W. Rte. 625 to 1.24 mi. E. Rte. 722	Reconstruct and Surface Treat to rural rustic road standards
2	600	Piney Woods Road	From Rte. 787 to Rte. 672	Reconstruct Unpaved Portion
3	606	Sidney Church Road	From Rte. 669 to Rte. 673	Reconstruct and Surface Treat
4	639	Mt. Pleasant Road	Bridge over Elliott Creek	Reconstruct
5	643	Yellow Sulphur Road	From 0.2 miles outh of Rt. 642 to 1.2 miles south	Reconstruct
6	639	Mt. Pleasant Road	From 0.05 mi W. Rte 722 to 0.07 mi E. Rte 742	Reconstruct

BE IT FURTHER RESOLVED, That adoption of this plan also establishes priorities for preparation of the annual budget for the fiscal year 2014-2015 by the Virginia Department of Transportation Resident Engineer.

The vote on the foregoing resolution was as follows:

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

NEW BUSINESS

ORD-FY-14-21
AN ORDINANCE AMENDING CHAPTER 10, ENTITLED ZONING, OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA BY AMENDING SECTION 10-61, BY CREATING A NEW DEFINITION CONTRACTOR'S SERVICE ESTABLISHMENT WITH PERMITTED OUTDOOR STORAGE OF EQUIPMENT AND/OR MATERIALS BY AMENDING THE DEFINITION OF CONTRACTOR SERVICE ESTABLISHMENT TO CLARIFY THAT THE OUTDOOR STORAGE OF EQUIPMENT AND/OR MATERIALS IS PROHIBITED AND BY AMENDING SECTION 10-30 (4) AND 10-31 (4) BY ALLOWING A CONTRACTOR SERVICE ESTABLISHMENT WITH PERMITTED OUTDOOR STORAGE OF EQUIPMENT AND/OR MATERIALS AS A PERMISSIBLE USE BY SUP IN M-1 MANUFACTURING AND M-L MANUFACTURING LIGHT DISTRICTS AND BY AMENDING SECTION 10-31 (3) ALLOWING A CONTRACTOR SERVICE ESTABLISHMENT AS A BY RIGHT USE IN M-L MANUFACTURING LIGHT ZONING DISTRICT

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

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 10, entitled Zoning, Sections 10-30 (4), 10-31 (3), 10-31 (4) and Section 10-61 of the Code of the County of Montgomery, Virginia shall be amended and reordained as follows:

Sec. 10-30. M-1 Manufacturing.

(4) *Uses permissible special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter:

(a) Airport.
(b) Building material sales yard.
(c) Cement manufacturing, concrete mixing plant, block plant and production of other concrete and asphaltic products.
(d) Contractor service establishment with permitted outdoor storage of equipment and/or materials.
~~(d)~~(e) Contractors' storage yard and/or rental of equipment commonly used by contractors.

~~(e)~~(f) Extractive industries and accessory uses including, but not limited to, the mining of minerals, the operation of oil and gas wells, and exploratory activities associated with extractive industry.
~~(f)~~(g) Fertilizer manufacturing.
~~(g)~~(h) Junkyards and automobile graveyards, provided the use is not within three hundred (300) feet of an existing dwelling.
~~(h)~~(i) Kennel, commercial.
~~(i)~~(j) Park and ride lot of more than fifty (50) spaces.
~~(j)~~(k) Public utility plant, other.
~~(k)~~(l) Public utility substation.

~~(l)~~(m) Public utility plant, water.
~~(m)~~(n) Refining, processing or distribution of petroleum, petroleum products, natural gas and other forms of liquid fuel, aboveground.
~~(n)~~(o) Sawmill and planing mill, coal and wood yard.
~~(o)~~(p) Slaughterhouse.
~~(p)~~(q) Storage of bulk petroleum products.
~~(q)~~(r) Telecommunication tower, freestanding.
~~(r)~~(s) Use listed in subsection (3), if a manufacturing process is to take place outside.
~~(s)~~(t) Use similar to (a) through (o) above.

Sec. 10-31. M-L Manufacturing-Light.

(3) *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter and with all other applicable regulations:

(a) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts.
(b) Business or trade school.
(c) Cabinets, furniture and upholstery shop.
(d) Civic club.
(e) Conference or training center.
(f) Contractor's service establishment.
~~(f)~~(g) Crematorium.
~~(g)~~(h) Day care center.
~~(h)~~(i) Equipment sales and service.
~~(i)~~(j) Financial services.
~~(j)~~(k) Fire, police, rescue facility.
~~(k)~~(l) Flex-industrial use.
~~(l)~~(m) Homeless shelter.
~~(m)~~(n) Hotel, motel.
~~(n)~~(o) Laboratory.
~~(o)~~(p) Laundry, dry cleaning plant.
~~(p)~~(q) Manufacture of musical instruments, toys, novelties, rubber and metal stamps.
~~(q)~~(r) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
~~(r)~~(s) Manufacturing, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, food and tobacco products.
~~(s)~~(t) Monument stone works.
~~(t)~~(u) Offices, administrative, business or professional.
~~(u)~~(v) Park and ride lot.
~~(v)~~(w) Pet, household.
~~(w)~~(x) Post office.
~~(x)~~(y) Printing service.
~~(y)~~(z) Public utility lines, other.
~~(z)~~(aa) Public utility lines, water or sewer.
~~(aa)~~(bb) Research, experimental, testing or development activity.

~~(bb)~~(cc) Retail sales and service incidental to any other permitted use.
~~(cc)~~(dd) Telecommunication tower, attached.
~~(dd)~~(ee) Veterinary service; animal hospital.
~~(ee)~~(ff) Wholesale business, storage warehouses.

(4) *Uses permissible by special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and with all other applicable regulations:

(a) Airport.
(b) Contractor's service establishment with permitted outdoor storage of equipment and/or materials.
~~(b)~~(c) Farm machinery sales and service.
~~(c)~~(d) Feed and seed stores and mill.
~~(d)~~(e) Kennel, indoor.
~~(e)~~(f) Mini-warehouse.
~~(f)~~(g) Motor vehicles rentals.
~~(g)~~(h) Recreation establishment.
~~(h)~~(i) Recycling facility.
~~(i)~~(j) Park and ride lot of more than fifty (50) spaces.
~~(j)~~(k) Public utility plant, other.
~~(k)~~(l) Public utility substation.
~~(l)~~(m) Public utility plant, water or sewer.
~~(m)~~(n) Shooting range, indoor.
~~(n)~~(o)Telecommunication tower, freestanding.
~~(o)~~(p) Use listed in subsection (3), if a manufacturing process is to take place outside.
~~(p)~~(q) Use similar to (a) through (m) above.

Sec. 10-61. Definitions.

Contractor's service establishment: Any establishment from which services are provided for building construction, building repair or building equipment installation or repair, such as, but not limited to flooring, heating and plumbing. The outdoor storage of equipment and/or materials shall be prohibited in a contractor's service establishment.

Contractor's service establishment with permitted outdoor storage of equipment and/or materials: Any establishment from which services are provided for building construction, building repair or building equipment installation or repair such as but not limited to flooring, heating and plumbing. Outdoor storage of equipment and/or materials is permitted.

The vote on the foregoing ordinance was as follows:

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

R-FY-14-157
REQUEST THE COMMONWEALTH TRANSPORTATION BOARD TO RESTORE FUNDING TO THE ROUTE 460 SOUTHGATE DRIVE INTERCHANGE PROJECT

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

WHEREAS, A grade separated interchange at the intersection of Route 460 and Southgate Drive, Route 314, has been a priority of the New River Valley MPO for a number of years; and

WHEREAS, Southgate Drive carries a high volume of traffic serving the Virginia Tech campus, Corporate Research Center, and athletic facilities and portions of the Town of Blacksburg; and

WHEREAS, VDoT placed the project in the Six-Year Improvement Plan several years ago and fully funded it within the plan; and

WHEREAS, Environmental work has been completed, acquisition of right-of-way for the project is underway, and the project is scheduled for advertisement in December 2014; and

WHEREAS, The draft of the Six-Year Improvement Plan for FY 2015-2020 released by VDoT removes funding from the project within the Six-Year Improvement Plan and has $14,774,000 funding needed outside of the Six-Year Improvement Plan; and

WHEREAS, The project will now be subject to prioritization that takes effect July 1, 2014 from House Bill 2 that was approved by the General Assembly in 2014 and will, at a minimum, delay the project significantly.

NOW, THEREFORE, BE IT RESOLVED, That the Montgomery County Board of Supervisors requests the Commonwealth Transportation Board to restore the funding that was removed from the project so the project is once again fully funded within the Six-Year Improvement Plan.

FURTHER, BE IT RESOLVED, The Montgomery County Board of Supervisors requests that the Southgate Interchange project be advertised in accordance with the current project schedule in December 2014.

The vote on the foregoing resolution was as follows:

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

R-FY-14-158
ANNUAL BROOMIN' AND BLOOMIN' CLEANUP

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

WHEREAS, The Montgomery County Board of Supervisors supported and endorsed the ***31st Annual Broomin' and Bloomin'*** clean-up day held on Saturday, April 26, 2014; and

WHEREAS, The Montgomery County Board of Supervisors understands that 21 private and public organizations and over 150 volunteers participated in this effort; and

WHEREAS, The Montgomery County Board of Supervisors is aware that 47.14 miles of roadsides were cleaned; and

WHEREAS, The Montgomery County Board of Supervisors is aware that 556 tons of debris has been collected; and

WHEREAS, The Montgomery County Board of Supervisors is aware that volunteering of one's time is an undisputed part of our heritage and is essential to our community's well-being; and

WHEREAS, The efforts of volunteers help to beautify our county and raise awareness of the need for people to properly dispose of trash.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors extends a unanimous vote of appreciation to ***all the Volunteers who gave so freely of their time and energy; and Montgomery County employees Bill Long, General Services Department, Mike Sutherland, Planning/GIS Department, Chris Coleman and Ruth Richey, Public Information*** on the successful coordination of this effort.

BE IT FURTHER RESOLVED, That all organizations and individuals contributing to this effort are hereby recognized and commended for their contribution toward the beautification efforts in Montgomery County.

The vote on the foregoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported he attended VDOT's public hearing for the Six-Year Improvement Plan for Primary and Interstate Roads. There was a large delegation from Montgomery County in attendance to speak on the need to re-locate the Falling Branch Park and Ride lot. At the beginning of the meeting Commonwealth Transportation Secretary Aubrey Layne announced the department of transportation would fund the moving of the park and ride lot. A temporary lot will be constructed just off Roanoke Road until additional land can be purchased and a permanent lot can be designed.

BOARD MEMBERS REPORTS

Supervisor Tuck commended fellow Board members for working together to try to solve the issue with the location of the Falling Branch Park and Ride lot. The Board and staff worked diligently in contacting the County's state legislators and the Commonwealth Transportation Board (CTB). He is glad to hear the CTB is going to fund the moving of the lot.

Supervior Gabriele attended the Montgomery Tourism Development Council (MTDC) meeting and the Montgomery Economic Development meeting. The MTDC will kick off their marketing campaign soon.

Supervisor Perkins asked the County Administrator if he had any updates on the Roanoke Valley Area MPO (RVAMPO) plans to have a feasibility study done on the Norfolk Southern Intermodal facility in Elliston. The County Administrator reported that a feasibility study is still being conducted and he has nothing specific to report at this time. Supervisor Perkins also noted the North Fork Road (SR 603) project is still on VDOT's construction list. She does not understand why this road is still being upgraded if Norfolk Southern is not still considering Elliston as a potential site for an intermodal facility.

Supervisor Biggs stated it is good news to hear that VDOT is going to fund and move the park and ride lot from its current location near the Falling Branch Elementary School (FBES). The parents and staff at FBES did an outstanding job rallying together and getting their voices heard. Supervisor Biggs also thanked the County Administrator and the Sheriff.

Supervisor Biggs attended the Library Board meeting and reported that the Floyd County Board of Supervisors approved for the employees of the Floyd County Library to become part of the Floyd County pay plan/personnel policies. Currently the employees at the Floyd County Library are covered under Montgomery County. The Library Board believed that the employees at the Floyd County Library would benefit by being covered under Floyd County.

Supervisor Brown commented that the Town of Blacksburg and Christiansburg and Virginia Tech all supported the re-location of the Falling Branch Park and Ride lot. He stated that there were numerous people prepared to speak at VDOT's public hearing requesting the Commonwealth Transportation Board to move the park and ride. Instead, they expressed their appreciation when the Secretary of Transportation announced that the CTB was going to fund and move the lot.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, June 2, 2014 at 6:00 p.m. The meeting adjourned at 11:15 p.m.

APPROVED_____ATTEST:_____

William H. Brown
Chair

F. Craig Meadows
County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 2ND DAY OF JUNE, 2014 AT 6:00 P.M. IN THE MULTI-PURPOSE ROOM #2, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs (arrived 6:03 p.m.)	-Vice Chair
	Gary D. Creed	-Supervisors
	Matthew R. Gabriele	
	M. Todd King	
	Annette S. Perkins	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	Martin M. McMahon	-County Attorney
	Steve Phillips	-General Services Manager
	Angie Hill	-Financial & Management Services Director
	Karen Edmonds	-Human Resources Director
	Ruth Richey	-Public Information Officer

CALL TO ORDER

The Chair called the meeting to order.

INTO WORK SESSION

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

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

1. Stormwater Management
2. Hybrid Leave Plan
3. Paid Maternity/Paternity Leave

The vote on the forgoing motion was as follows:

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

Supervisor Biggs arrived at 6:03 p.m.

OUT OF WORK SESSION

On a motion by Matthew R. Gabriele, seconded by Christopher A. Tuck 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
M. Todd King	None
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
William H. Brown	

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, June 9, 2014 at 6:00 p.m. The meeting adjourned at 7:16 p.m.

APPROVED_____ATTEST:_____

William H. Brown
Chair

F. Craig Meadows
County Administrator

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 9th DAY OF JUNE, 2014 AT 6:30 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	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Christopher A. Tuck	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Gary D. Creed 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 (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. Adjustment & Appeals Board
2. CPMT
3. Parks & Recreation Commission

The vote on the foregoing motion was as follows:

AYES	NAYS
Mary W. Biggs	None
Gary D. Creed	
Matthew R. Gabriele	
M. Todd King	
William H. Brown	

ABSENT DURING VOTE
Annette S. Perkins
Christopher A. Tuck

ABSENT DURING MEETING
Annette S. Perkins
Christopher A. Tuck

Supervisor Perkins arrived at 6:45 p.m.

OUT OF CLOSED MEETING

On a motion by M. Todd King, 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:

AYES	NAYS
M. Todd King	None
Matthew R. Gabriele	
Gary D. Creed	
Mary W. Biggs	
Annette S. Perkins	
William H. Brown	

ABSENT DURING VOTE
Christopher A. Tuck

ABSENT DURING MEETING
Christopher A. Tuck

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
M. Todd King
Annette S. Perkins (for time present)
Gary D. Creed
Matthew R. Gabriele
William H. Brown

NAYS
None

ABSENT DURING VOTE
Christopher A. Tuck

ABSENT DURING MEETING
Christopher A. Tuck

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATION

Resolution of Appreciation to Jimmy Epperly-Fire and Rescue Commission

The Board of Supervisors presented a Resolution of Appreciation to Jimmy Epperly for his years of service on the Fire and Rescue Commission.

DELEGATIONS

Virginia Department of Transportation

VDoT's Residency Administrator David Clarke provided an update on the following VDoT projects:

-Overlay and surface treatment schedule is expected to be completed by the end of this week.

-Mt. Pleasant Road (SR 639) contract has been awarded for this project. The contractor may try to finish this project by the end of the year although the contract with VDoT doesn't require completion until next spring.

-Blue Springs Road (SR 613) surface treatment should be completed by August.

-North Fork Road (SR 603) contract has been awarded and VDoT will have a preconstruction conference with the contractor tomorrow. This is the road between I-81 and US 11/460 in Elliston.

-Truss bridge in Elliston is under contract, but there is a time of year restriction because of the Roanoke River.

-Culverts to be replaced on Lick Run (SR 781) and Coal Bank Hollow (SR 649). The culvert on Coal Bank Hollow is closest to US 460 so it will be closed at that end.

Board members had questions about the following roads:

Roanoke Road on Christiansburg Mountain Supervisor Creed reported a pot hole on Roanoke Road just as you start down Christiansburg Mountain. David Clarke said he would look into it, and if the pot hole is located in the Town of Christiansburg he will notify the Town.

Boners Run (SR 609/634) Supervisor Creed asked that VDoT give some attention to Boner's Run which really needs some dust treatment.

Riner Road (Route 8) Supervisor King reported that as you are leaving Christiansburg going toward Riner on Route 8, just after the underpass, there is a sign that the right lane ends but traffic is still riding the right lane. Supervisor King asked if VDoT could paint some arrows on the road pointing to the left.

Fairview Church Road (SR 669) Supervisor King asked if someone from VDoT would go out to Fairview Church Road and see if the culverts at the low water bridge have been cleaned out.

Culverts on Coal Bank Hollow Supervisor Gabriele asked if the road closure on Coal Bank Hollow would impact access to the collection site. Mr. Clarke responded that it would not impact access to the collection site.

Hornsby Drive Supervisor Gabriele received a call recently from a citizen who resides on Hornsby Drive, located off of Radford Road (US 11) in the Plum Creek area, saying someone needs to come and take a look at the road. The caller did not identify the problem. Since this road is located in Supervisor Tuck's district, Supervisor Gabriele asked on behalf of Supervisor Tuck that VDoT look into the request.

Public Safety Building Update

Ron Riquelmy, Project Manager for the Public Safety Building project, provided an update to the Board. The contractor has asked unofficially for a 17-day weather time extension due to the winter weather. This would move the substantial completion date from August 6th to August 23rd. Mr. Riquelmy's personal belief is that completion date will be November or December. He expects the Sheriff's Office will occupy the building around the beginning of 2015.

The original contract amount was $8,135,000. To date, there has been $550,000 in changes which brings the revised contract amount to $8,724,000. A new line item this time is the courtyard. Gay and Neel provided an estimate for the sign work that was not previously accounted for. Overall, including the additional money for the courtyard, the Public Safety Building project is $200,000 less than the Project Manager's last report.

The County Administrator pointed out that it was important to note that when this project was started in 2012 the estimated budget was $14,370,000, and as of right now we're looking at a cost of approximately $11,900,000, which is still well under where we initially thought we would be on this project.

PUBLIC HEARINGS

The following public hearings were advertised pursuant to law in the "Burgs" section of the *Roanoke Times* on May 23, 2014 and June 1, 2014:

Proposed conveyance of a 15' easement to Atmos Energy Corporation
Proposed conveyance of a 15' easement to Atmos Energy Corporation for a gas line across a portion of the Christiansburg Middle School property located at 1205 Buffalo Street, N.W., Christiansburg, Virginia to provide gas service to the adjacent Wynwood Estates neighborhood.

The County Attorney explained that the proposed easement runs along the boundary line of Christiansburg Middle School. The County owns the property but the Schools are controlling it. The School Board adopted a resolution asking the Board of Supervisors to consider granting the easement; however, they asked that it be contingent upon the following conditions:

a) the gas service to Christiansburg Middle School will not be negatively affected;

b) the gas line extension will not be installed on the school property while school is in session, and be closely coordinated with the school administration;

c) any future settlement of the ground or any ground disturbance on school property associated with the installation of the gas line be repaired to a safe, level and smooth grass surface;

d) any and all trees currently in the area of the requested easement be the responsibility of Atmos to relocate, maintain and replant as needed to be in conformance with the new easement, other adjacent utility easements, and zoning regulation buffer zone requirements;

e) the storage shed and any fencing or other appurtenances currently in the area of the requested easement be allowed to stay where they are, and if Atmos requires them to be moved at any time, that Atmos will be responsible for moving them and relocating them to a location approved by the Montgomery County Public Schools;

f) in the event the County or Montgomery County Public Schools in the future has need that requires the gas line and the easement be relocated on the property, that such relocation will be performed by Atmos at no cost to the County or Montgomery County Public Schools.

Bryan Rice, developer of the Kensington Subdivision, addressed the Board about the proposed 15' easement, stating that his development is the primary reason for the extension of the gas service. The feedback he has received from citizens who are contemplating buying a house in the subdivision believe that gas is more energy efficient, cleaner energy and better for the environment. The northern portion of the easement runs parallel to an existing water line easement that goes to the water tower.

Perry Patterson, Area Supervisor for Atmos Energy, addressed the Board about the conditions the School Board had listed. He didn't see a problem with any of the conditions, with the exception of the last one, and their interpretation of the last condition led them to believe that if the county or if the school wanted to move their service line that Atmos would also have to pick up that cost. The County Attorney responded that he did not believe that to be the case, but in order to confirm he would need to talk to the Director of Facilities for the Schools. Mr. Patterson suggested that with a little more work with some of the language, it will be completely workable.

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

Proposed Ordinance Amending Election Districts – Create On-Campus Voting Precincts

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 changing 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 County Attorney explained that the purpose of the ordinance is to create two on-campus Voting Precincts, E-3 and F-3, and have an on-campus Polling Location for both precincts at the Squires Student Center. If approved, the ordinance will go into effect in November.

GIS Manager Bob Pearsall reviewed the changes with the Board explaining that they didn't want to put everyone in E or F because it would have made the district too large and unbalanced, so they came up with the F-3 and E-3, two precincts at the same location.

The following speakers addressed the Board in support of the proposed ordinance: Andrew Whitley, Michael Hudson, Diane Richardson, and Brent Ashley.

Overall, the speakers believe that having the two voting precincts on campus will make it easier and more convenient for the students. They reminded the Board of Supervisors of the last election, specifically about the hard time getting the students in and out of the polling place located at the Lutheran Church on Merrimac Road. They consider the on-campus voting precincts to be a big asset.

For the record, the Chairman announced that the Board of Supervisors received a number of e-mails from citizens who support the proposed ordinance but were unable to make it to this meeting.

The County Attorney stated that the Registrar requested that the Board take action on the proposed ordinance tonight. This will give the Registrar an additional two weeks to get prepared before the next election, such as sending out voter cards, etc.

ADDENDUM 1-ADD TO AGENDA

On a motion by Matthew R. Gabriele, seconded by Gary D. Creed and carried unanimously, the following Addendum was added to the Agenda under New Business:

Proposed Ordinance Amending Election Districts-Create On-Campus Voting Precincts

The vote on the foregoing motion was as follows:

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

ADDENDUM 2- ADD TO AGENDA

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously, the following Addendum was added to the Consent Agenda:

Appointment to the Adjustment and Appeals Board

The vote on the foregoing motion was as follows:

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

PUBLIC ADDRESS

Bill Turner addressed the Board about Verizon's request for a Special Use Permit to allow a 199' telecommunications tower off of I-81 in the Riner Magisterial District. Mr. Turner stated that he lives in Ellet Valley where he gets service from a tower located off of I-81 and South Main Street. If someone in the Ellet Valley makes a service call to Verizon, it takes them 2-4 weeks to respond. Mr. Turner cannot use his cell phone inside his house, and his internet is very slow. He believes the Board of Supervisors should ask Verizon what they are doing to help their existing customers before requesting a special use permit to build another tower.

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 9, 2014 was approved. The vote was as follows:

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

R-FY-14-159
SCHEDULE A PUBLIC HEARING ON A PROPOSED ORDINANCE AMENDING CHAPTER 2, ENTITLED ADMINISTRATION OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA AMENDING SECTION 2-32 AND 2-33

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a Public Hearing for July 28, 2014 at 7:15 p.m. or as soon thereafter in the Board Room, Montgomery County Government Center located at 755 Roanoke Street, Christiansburg, Virginia to hear citizen comments on the following proposed Ordinance:

An Ordinance Amending Chapter 2, Entitled Administration of the Code of the County of Montgomery, Virginia Amending Section 2-32 and 2-33 **to Allow Persons Owning or Leasing a Motor Vehicle Who Previously Filed a Personal Property Tax Return to Not Be Required to File Another Return If No Change in Status and By Establishing a Monetary Civil Penalty Instead of a Criminal Violation for Failing to File a Return.**

Appropriations and Transfers

A-FY-14-101
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	$232

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

Revenue Account		
419104	Confiscations	$232

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

A-FY-14-102
FIRE AND RESCUE INSURANCE
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	($7,500)

TO:		
330	Fire and Rescue	$7,500

Said resolution transfers appropriated funds from General Contingencies to Fire and Rescue to cover the increased cost of insurance premiums.

A-FY-14-103
MONTGOMERY-FLOYD REGIONAL LIBRARY
GRANT – NATIONAL ENDOWMENT FOR THE HUMANITIES

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	$2,572

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

Revenue Account	
710 424401 Grants	$2,572

Said resolution appropriates grant funds for use by the Library.

A-FY-14-104
NEW RIVER VALLEY EMERGENCY
COMMUNICATIONS REGIONAL AUTHORITY
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:

111	Regional 911 Authority	$58,000

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

Revenue Account	
419108 Recovered Costs	$58,000

Said resolution appropriates monies to cover costs for the NRV Emergency Communications Regional Authority.

A-FY-14-105
SHERIFF
WESTERN VIRGINIA REGIONAL JAIL

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	$35,000

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

451203	Undesignated Fund Balance	$35,000

Said resolution appropriates funds from undesignated fund balance for the costs associated with increased usage at the regional jail.

A-FY-14-106
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:

310	Sheriff County	$1,172
320	Sheriff County	$5,745
321	Sheriff County	$ 165
322	Sheriff Project Lifesaver	$ 575
	Total	$7,657

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

Revenue Account		
419108 Recovered Costs		$6,917
419104 Confiscations		$ 165
424401 Project Lifesaver		$ 575
	Total	$7,657

Said resolution appropriates recovered costs, confiscations, and Project Lifesaver funds.

A-FY-14-107
TOURISM PROGRAM
APPROPRIATE MONTGOMERY COUNTY'S PERCENTAGE OF THE TRANSIENT OCCUPANCY TAX

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:

910	Regional Tourism	$36,097

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

451205	Designated Fund Balance	$26,321
412902	Transient Occupancy Tax – 177 Corridor	8,820
412901	Transient Occupancy Tax	956
	Total	$36,097

Said resolution appropriates Montgomery County's percentage of the transient occupancy tax to the Tourism Program.

R-FY-14-160
A RESOLUTION REQUESTING THE AFD ADVISORY COMMITTEE AND THE PLANNING COMMISSION TO COMMENCE THE RENEWAL PROCESS FOR AFD-14

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

WHEREAS, Agricultural and Forestal District-14 (Fisher's View), encompassing a total of 2 property owners and approximately 481.93 acres are scheduled to expire on December 31, 2014; and

WHEREAS, Section 15.2-4311 of the Code of Virginia and Section 2-152 of the Code of Montgomery County provides for the orderly review and renewal of such districts.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby directs the AFD Advisory Committee and the Planning Commission to commence the review and renewal process as hereby required by Section 15.2-4311 of the 1950 Code of Virginia, as amended, for AFD-14 and provide the Board of Supervisors with a recommendation as to the renewal of this Agricultural and Forestal District.

Appointments

R-FY-14-161
NRV COMMUNITY SERVICES BOARD
APPOINT JOSEPH W. YOUNG, 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 **Joseph W. Young, Jr.** to the **New River Valley Community Services Board** effective June 10, 2014 and expiring June 30, 2014

Said appointment fills the unexpired term of Neal Turner, resigned.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby reappoints **Joseph W. Young, Jr.** to the **New River Valley Community Services Board** effective July 1, 2014 and expiring June 30, 2017.

R-FY-14-162
APPOINTMENT
ADJUSTMENT AND APPEALS BOARD

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 **David H. Pearce** to the **Adjustment and Appeals Board** effective June 10, 2014 and expiring June 9, 2018.

OLD BUSINESS

ORD-FY-14-22
AN ORDINANCE ESTABLISHING THE MONTGOMERY COUNTY VIRGINIA STORMWATER ORDINANCE SECTIONS 8-70 THROUGH 8-85 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

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

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

Sec. 8-70 PURPOSE AND AUTHORITY. (9VAC25-870-20; 62.1-44.15:27)

(a) The purpose of this Ordinance is to ensure the general health, safety, and welfare of the citizens of Montgomery County and protect the quality and quantity of state waters from the potential harm of unmanaged stormwater, including protection from a land disturbing activity causing unreasonable degradation of properties, water quality, stream channels, and other natural resources, and to establish procedures whereby stormwater requirements related to water quality and quantity shall be administered and enforced. This ordinance provides the framework for the administration, implementation, and enforcement of the provisions of the Virginia Stormwater Management Act and delineates the procedures and requirements to be followed in connection with permits issued by the local VSMP Authority, Montgomery County.

(b) This ordinance is adopted pursuant to Virginia Code §62.1-44.15:27, as part of an initiative to integrate Montgomery County's Stormwater requirements with its erosion and sediment control, flood insurance and flood plain management requirements into a unified stormwater program. This unified program is intended to facilitate the submission and approval of plans, issuance of permits, payment of fees, and coordination of inspection and enforcement activities into a more convenient and efficient manner.

Sec. 8-71 DEFINITIONS. (9VAC25-870-10)

In addition to the definitions set forth in 9VAC25-870-10 of the Virginia Stormwater Management Regulations, as amended, which are expressly adopted and incorporated herein by reference, the following words and terms used in this Ordinance have the following meanings unless otherwise specified herein. Where definitions differ, those incorporated herein shall have precedence.

"*Administrator*" means the VSMP authority including the County staff person or department responsible for administering the VSMP on behalf of the locality. The Montgomery County Board of Supervisors hereby designates the County Administrator or their designee as the Administrator of the Virginia Stormwater Management Program.

"*Administrative Guidance Manual*" means the documentation of policies and procedures for documentation and calculations verifying compliance with the water quality and quantity requirements review and appeal of Stormwater Pollution Prevention Plans and Stormwater Management Plans, site inspections, obtaining and releasing bonds, reporting and record keeping, and compile a strategies for reviews, enforcement and long term maintenance and inspection programs.

"*Agreement in Lieu of a Stormwater Management Plan*" means a contract between the County and the owner or permittee that specifies methods that shall be implemented to comply with the requirements of the Stormwater Management Program for the construction of a single-family residence; such contract may be executed by the County in lieu of a Stormwater Management Plan.

"*Applicant*" means any person submitting an application for a permit or requesting issuance of a permit under this Ordinance.

"Best management practice" or "BMP" means schedules of activities, prohibitions of practices, including both structural and nonstructural practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters and groundwater systems from the impacts of land-disturbing activities.

"*Common plan of development or sale*" means a contiguous area where separate and distinct construction activities may be taking place at different times on difference schedules.

"Control measure" means any best management practice or stormwater facility, or other method used to minimize the discharge of pollutants to state waters.

"Clean Water Act" or "CWA" means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

"County" means County of Montgomery.

"Department" means the Department of Environmental Quality.

"Development" means land disturbance and the resulting landform associated with the construction of residential, commercial, industrial, institutional, recreation, transportation or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

"General permit" means the state permit titled GENERAL PERMIT FOR DISCHARGES OF STORMWATER FROM CONSTRUCTION ACTIVITIES found in Part XIV (9VAC25-880-1 et seq.) of the Regulations authorizing a category of discharges under the CWA and the Act within a geographical area of the Commonwealth of Virginia.
"Land disturbance" or *"land-disturbing activity"* means a man-made change to the land surface that potentially changes its runoff characteristics including clearing, grading, or excavation except that the term shall not include those exemptions specified in Section 8-72 (b) of this Ordinance.

"Layout" means a conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

"Minor modification" means an amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

"Operator" means the owner or operator of any facility or activity subject to regulation under this Ordinance.

"Permit" or *"VSMP Authority Permit"* means an approval to conduct a land-disturbing activity issued by the Administrator for the initiation of a land-disturbing activity, in accordance with this Ordinance, and which may only be issued after evidence of general permit coverage if such statement is required has been provided by the Department.

"Permittee" means the person to whom the VSMP Authority Permit is issued.

"Person" means any individual, corporation, partnership, association, state, municipality, commission, or political subdivision of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

"*Regulations*" means the Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC25-870, as amended.

"Site" means the land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channel ward of mean low water in tidal Virginia shall not be considered part of a site.

"State" means the Commonwealth of Virginia.

"State Board" means the Virginia State Water Control Board.

"State permit" means an approval to conduct a land-disturbing activity issued by the State Board in the form of a state stormwater individual permit or coverage issued under a state general permit, if such permit is required, or an approval issued by the State Board for stormwater discharges from an MS4. Under these state permits, the Commonwealth imposes and enforces requirements pursuant to the federal Clean Water Act and regulations, the Virginia Stormwater Management Act and the Regulations.

"State Water Control Law" means Chapter 3.1 (§62.1-44.2 et seq.) of Title 62.1 of the Code of Virginia.

"State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

"Stormwater" means precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt runoff, and surface runoff and drainage.

"Stormwater management plan" means a document(s) containing material describing methods for complying with the requirements of Section 8-75 of this Ordinance.

"Stormwater Pollution Prevention Plan" or "*SWPPP*" means a document that is prepared in accordance with good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meets the requirements of this Ordinance. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, an approved stormwater management plan, and a pollution prevention plan.

"Subdivision" means the same as defined in Chapter 8, Article IV Subdivisions of the Code of the County of Montgomery, Virginia.

"Total maximum daily load" or *"TMDL"* means the sum of the individual waste load allocations for point sources, load allocations for nonpoint sources, natural background loading and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade- offs.

"Virginia Stormwater Management Act" or *"Act"* means Article 2.3 (§§62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

"Virginia Stormwater BMP Clearinghouse website" means a website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and associated regulations.

"Virginia Stormwater Management Program" or "VSMP" means a program approved by the State Board after September 13, 2011, that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permit requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection, enforcement, where authorized in this article, and evaluation consistent with the requirements of this article and associated regulations.

"Virginia Stormwater Management Program authority" or *"VSMP authority"* means an authority approved by the State Board after September 13, 2011, to operate a Virginia Stormwater Management Program.

Sec. 8-72 STORMWATER PERMIT REQUIREMENT; EXEMPTIONS.

(a) Except as provided herein, a person shall not conduct any land-disturbing activity until he or she has submitted a permit application to the Administrator that includes a State VSMP permit registration statement if such statement is required and a Stormwater management plan or an executed agreement in lieu of a Stormwater management plan and has obtained a VSMP authority permit from the Administrator in accordance with the provisions of this Ordinance to begin land disturbance.

(b) Notwithstanding any other provisions of this Ordinance, the following activities are exempt, unless otherwise required by federal law:

(1) Permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;
(2) Clearing of lands specifically for agricultural purposes and the management, tilling, planting, or harvesting of agricultural, horticultural, or forest crops, livestock feedlot operations, or as additionally set forth by the State Board in regulations, including engineering operations as follows: construction of terraces, terrace outlets, check dams, desilting basins, dikes, ponds, ditches, strip cropping, lister furrowing, contour cultivating, contour furrowing, land drainage, and land irrigation; however, this exception shall not apply to harvesting of forest crops unless the area on which harvesting occurs is reforested artificially or naturally in accordance with the provisions of Chapter 11 (§ 10.1-1100 et seq.) of Title 10.1 of the Code of Virginia or is converted to bona fide agricultural or improved pasture use as described in Subsection B of § 10.1-1163 of Article 9 of Chapter 11 of Title 10.1 of the Code of Virginia;
(3) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures;
(4) Land disturbing activities that disturb less than one acre of land area except for land disturbing activities that are part of a larger common plan of development or sale that is one acre or greater of disturbance;
(5) Discharges to a sanitary sewer or a combined sewer system;
(6) Activities under a State or federal reclamation program to return an abandoned property to an agricultural or open land use;

(7) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of the project. The paving of an existing road with a compacted or impervious surface and reestablishment of existing associated ditches and shoulders shall be deemed routine maintenance if performed in accordance with this Subsection; and

(8) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the Administrator shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with the administrative requirements of Subsection (a) is required within 30 days of commencing the land-disturbing activity.

Sec. 8-73 STORMWATER MANAGEMENT PROGRAM ESTABLISHED; SUBMISSION AND APPROVAL OF PLANS; PROHIBITIONS.

(a) Pursuant to §62.1-44.15:27 of the Code of Virginia, Montgomery County hereby establishes a Virginia stormwater management program for land-disturbing activities and adopts the applicable Regulations that specify standards and specifications for VSMPs promulgated by the State Board for the purposes set out in Section 8-70 of this Ordinance. The Montgomery County Board of Supervisors hereby designates the County Administrator or their designee as the Administrator of the Virginia Stormwater Management Program.

(b) Pursuant to §62.1-44.15:28 7 of the Code of Virginia, the County must ensure the stormwater management plans for residential, commercial or industrial subdivisions are approved and govern the development of individual parcels within that plan, throughout the development life even if ownership changes.

(c) Pursuant to §62.1-44.15:28 8 of the Code of Virginia, a general permit statement is not required for detached single-family home construction within or outside of common plan of development or sale with a land-disturbing activity less than five (5) acres, however such projects must adhere to the requirements of the general permit.

(d) An agreement in lieu of a stormwater management plan may be granted by the Administrator for detached single-family home construction within or outside of common plan of development or sale with a land-disturbing activity less than five (5) acres; however such projects must comply with the requirements of the general permit.

(e) No VSMP authority permit shall be issued by the Administrator until an executed agreement in lieu of a stormwater management plan is provided and/or the following items have been submitted to and approved by the Administrator as prescribed herein:

(1) A permit application that includes a general permit registration statement, if such a statement is required;

(2) An erosion and sediment control plan approved in accordance with the Montgomery County Erosion and Sediment Control Ordinance Chapter 8, Article III of this Code; and

(3) A stormwater management plan that meets the requirements of Section 8-75 of this Ordinance, or an executed agreement in lieu of a plan as provided for in Section 8-73(d) of this Ordinance.
(4) Other requirements as set forth in Section 9VAC25-880-70 of the general permit.

(f) No VSMP authority permit shall be issued until evidence of general permit coverage is obtained, if such permit is required.

(g) No VSMP authority permit shall be issued until the fees required to be paid pursuant to Section 8-84, are received, and a reasonable performance bond required pursuant to Section 8-85 of this Ordinance has been submitted.

(h) No VSMP authority permit shall be issued unless and until the permit application and attendant materials and supporting documentation demonstrate that all land clearing, construction, disturbance, land development and drainage will be done according to the approved permit.

(i) No grading, building or other local permit shall be issued for a property unless a VSMP authority permit has been issued by the Administrator.

Sec. 8-74 STORMWATER POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

(a) The Stormwater Pollution Prevention Plan (SWPPP) shall include the content specified by Section 9VAC25-870-54, including, but not limited to, an erosion and sediment control plan, stormwater management plan, pollution prevention plan and additional control measures necessary to address a TMDL, and must also comply with the requirements and general information set forth in Section 9VAC25-880-70 of the general permit.

(b) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters which is not addressed by the existing SWPPP.

(c) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is unavailable, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

Sec. 8-75 STORMWATER MANAGEMENT PLAN; CONTENTS OF PLAN.

(a) A Stormwater Management Plan shall be developed and submitted to the VSMP Authority. The Stormwater management plan shall be implemented as approved or modified by the VSMP Authority and shall be developed in accordance with the following:

(1) A stormwater management plan for a land disturbing activity shall apply the stormwater management technical criteria set forth in this part to the entire land

disturbing activity. Individual lots in new residential, commercial, or industrial developments shall not be considered separate land-disturbing activities.

(2) A stormwater management plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff.

(b) The Stormwater management plan shall include the following information and as required by the VSMP Permit Regulations (9VAC25-870-55) and the Administrative Guidance Manual:

(1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters or karst features, if present, and the predevelopment and post development drainage areas;

(2) Contact information including the name, address, and telephone number of the owner and the tax reference number and parcel number of the property or properties affected;

(3) A narrative that includes a description of current site conditions and final site conditions;

(4) A general description of the proposed stormwater management facilities and the mechanism through which the facilities will be operated and maintained after construction is complete and a note that states the stormwater management meets the requirements set forth in the VSMP Permit Regulations (9VAC25-870-55) and the Administrative Guidance Manual;

(5) Information on the proposed stormwater management facilities, including:

(i) The type of facilities;

(ii) Location, including geographic coordinates;

(iii) Acres treated; and

(iv) The surface waters or karst features, if present, into which the facility will discharge.

(6) Hydrologic and hydraulic computations, including runoff characteristics;

(7) Documentation and calculations verifying compliance with the water quality and quantity requirements of Section 8-78 of this Ordinance and the Administrative Guidance Manual.

(8) A map or maps of the site that depicts the topography of the site and includes:

(i) All contributing drainage areas;

(ii) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;

(iii) Soil types, geologic formations if karst features are present in the area, forest cover, and other vegetative areas;

(iv) Current land use including existing structures, roads, and locations of known utilities and easements;

(v) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;

(vi) The limits of clearing and grading, and the proposed drainage patterns on the site;

(vii) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and

(viii) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.

(c) If an operator intends to meet the water quality and/or quantity requirements set forth in Section 8-78 of this Ordinance through the use of off-site compliance options, where applicable, then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary nutrient reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by §62.1-44.15:35 of the Code of Virginia.

(d) Elements of the stormwater management plans that include activities regulated under Chapter 4 (§54.1-400 et seq.) of Title 54.1 of the Code of Virginia shall be appropriately sealed and signed by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

(1) If Agreement in lieu of a stormwater management plan is executed, a stormwater pollution prevention plan is still required; however, the Administrator may waive the requirement of the plan to be signed and sealed by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

(e) A construction record drawing for permanent stormwater management facilities shall be submitted to the Administrator. The construction record drawing shall be appropriately sealed and signed by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia, certifying that the stormwater management facilities have been constructed in accordance with the approved plan.

(1) If Agreement in lieu of a stormwater management plan is executed, a construction record drawing is still required; however, the Administrator may waive the certification by a professional engineer, architect, surveyor or landscape architect registered in the Commonwealth of Virginia pursuant to Article 1 (§54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia.

Sec. 8-76 POLLUTION PREVENTION PLAN; CONTENTS OF PLANS.

(a) Pollution Prevention Plan, required by 9VAC25-870-56, shall be developed, implemented, and updated as necessary and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained as required by 9VAC25-870-56 to:

(1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
(2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides,

detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and

(3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(b) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:

(1) Wastewater from washout of concrete, unless managed by an appropriate control;
(2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
(3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
(4) Soaps or solvents used in vehicle and equipment washing.

(c) Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate controls.

Sec. 8-77 REVIEW OF STORMWATER MANAGEMENT PLAN.

(a) The Administrator or any duly authorized agent of the Administrator shall review stormwater management plans and shall approve or disapprove a stormwater management plan according to the following:

(1) The Administrator shall determine the completeness of a plan in accordance with Section 8-75 of this Ordinance, and shall notify the applicant, in writing, of such determination, within 15 calendar days of receipt. If the plan is deemed to be incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.
(2) The Administrator shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed in subdivision (1), then plan shall be deemed complete and the Administrator shall have 60 calendar days from the date of submission to review the plan.
(3) For plans not approved by the Administrator, all comments shall be addressed by the applicant within 180 calendar days. Plans that are not resubmitted with this time period will be subject to a new application fee.
(4) The Administrator shall review any plan that has been previously disapproved, within 45 calendar days of the date of resubmission.
(5) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or his designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this Ordinance and the Administrative Guidance Manual.
(6) If a plan meeting all requirements of this Ordinance is submitted and no action is taken within the time provided above in subdivision (2) for review, the plan shall be deemed approved.

(b) Approved stormwater plans may be modified as follows:

(1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the Administrator. The Administrator shall have 60 calendar days to respond in writing either approving or disapproving such request.

(2) The Administrator may require that an approved stormwater management plan be amended, within a time prescribed by the Administrator, to address any deficiencies noted during inspection.

(c) The Administrator shall require the submission of a construction record drawing for permanent stormwater management facilities. The Administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to Section 8-79 (b).

Sec.8-78 TECHNICAL CRITERIA FOR REGULATED LAND DISTURBING ACTIVITIES; GRANDFATHERING.

For technical criteria, adhere to the technical criteria provisions of the Regulations as shown in subsection (a) below. Such State technical criteria or more stringent standards maybe enforced through this Ordinance as amended.

(a) To protect the quality and quantity of state water from the potential harm of unmanaged stormwater runoff resulting from land-disturbing activities, the County hereby adopts the technical criteria for regulated land-disturbing activities set forth in Part II B of the Regulations, as amended, expressly to include 9VAC25-870-30 [applicability]; 9VAC25-870-63 [water quality design criteria requirements]; 9VAC25-870-65 [water quality compliance]; 9VAC25-870-66 [water quantity]; 9VAC25-870-69 [offsite compliance options]; 9VAC25-870-72 [design storms and hydrologic methods]; 9VAC25-870-74 [stormwater harvesting]; 9VAC25-870-76 [linear development project]; 9VAC25-870-85 [stormwater management impoundment structures or facilities], and 9VAC25-870-92 [comprehensive Stormwater management plans], which shall apply to all land disturbing activities regulated pursuant to this Ordinance, except as expressly set forth in Section 8-78 (b) of the technical criteria for regulated land disturbing activities set forth in Part II C of the Regulations, as amended including 9VAC25-870-93 through 9VAC25-870-99.

(b) Any land-disturbing activity shall be considered grandfathered by the Administrator and shall be subject to the technical criteria of Part II C of the Regulations provided:

(1) A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the Administrator to be equivalent thereto (i) was approved by the County prior to July 1, 2012., (ii) provided a layout as defined in 9VAC25-870-10, (iii) will comply with Part II C technical criteria of the

Regulations and (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorus leaving each point of discharge and such that there is no increase in the volume or rate of runoff;

(2) A state permit has not been issued prior to July 1, 2014, and

(3) Land disturbance did not commence prior to July 1, 2014.

(c) Locality, state and federal projects shall be considered grandfathered by the Administrator and shall be subject to the technical criteria of Part II C of the Regulations provided:

(1) There has been an obligation of locality, state or federal funding in whole or in part, prior to July 1, 2012, or the department has approved a stormwater management plan prior to July 1, 2012;

(2) A State permit has not been issued prior to July 1, 2014; and

(3) Land disturbance did not commence prior to July 1, 2014.

(d) Land disturbing activities grandfathered under subsections (b) and (c) above shall remain subject to the technical criteria of Part II C of the Regulations for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the State Board.

(e) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical requirements Part II C of the Regulations.

(f) The Administrator may grant exceptions to the technical requirements of Part II B or Part II C of the Regulations, provided that (i) the exception is the minimum necessary to afford relief, (ii) reasonable and appropriate conditions are imposed so that the intent of the Act, the Regulations, and this Ordinance are preserved, (iii) granting the exception will not confer any special privileges that are denied in other similar circumstances, and (iv) exception requests are not based upon conditions or circumstances that are self- imposed or self-created. Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Ordinance.

(1) Exceptions to the requirement that the land-disturbing activity obtain required VSMP authority permit shall not be given by the Administrator, nor shall the Administrator approve the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse Website, or any other control measure duly approved by the Director.

(2) Exceptions to requirements for phosphorus reductions shall not be allowed unless offsite options otherwise permitted pursuant to 9VAC-25-870-69 have been considered and found not available.

(g) Nothing in this Section shall preclude an operator from constructing to a more stringent standard at their discretion.

Sec. 8-79 LONG-TERM MAINTENANCE OF PERMANENT STORMWATER FACILITIES

(a) The Administrator shall require the provision of long-term responsibility for and maintenance of stormwater management facilities and other techniques specified to manage the quality and quantity of runoff. Such requirements shall be set forth in an instrument recorded in the local land records prior to general permit termination, if such a permit is required, or earlier as required by the Administrator and shall at a minimum:

(1) Be submitted to the Administrator for review and approval prior to the approval of the stormwater management plan;
(2) Be stated to run with the land;
(3) Provide for all necessary access to the property for purposes of maintenance and regulatory inspections;
(4) Provide for inspections and maintenance and the submission of inspection and maintenance reports to the Administrator; and
(5) Be enforceable by all appropriate governmental parties.

(b) At the discretion of the Administrator, such recorded instruments need not be required for stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located, provided it is demonstrated to the satisfaction of the Administrator that future maintenance of such facilities will be addressed through an enforceable mechanism at the discretion of the Administrator.

(c) If a recorded instrument is not required pursuant to Section 8-79, the Administrator shall develop a strategy for addressing maintenance of stormwater management facilities designed to treat stormwater runoff primarily from an individual residential lot on which they are located. Such a strategy may include periodic inspections, homeowner outreach and education, or other method targeted at promoting the long-term maintenance of such facilities. Such facilities shall not be subject to the requirement for an inspection to be conducted by the Administrator or any duly authorized agent of the Administrator.

Sec. 8-80 MONITORING AND INSPECTIONS.

(a) The Administrator or any duly authorized agent of the Administrator shall inspect the land-disturbing activity during construction for:

(1) Compliance with the approved erosion and sediment control plan;
(2) Compliance with the approved stormwater management plan;
(3) Development, updating, and implementation of a pollution prevention plan; and
(4) Development and implementation of any additional control measures necessary to address a TMDL.

(b) The Administrator or any duly authorized agent of the Administrator may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Ordinance. In the event the Administrator, or his agent, shall be denied access to the property, the Administrator may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a violation of this ordinance has occurred, request that the magistrate or court grant the Administrator an inspection warrant to enable the Administrator or agent to enter the property for the purpose of determining whether a violation of this Ordinance exists. The Administrator shall make a reasonable effort to obtain consent from the Owner or occupant of the subject property prior to seeking the issuance of an inspection warrant under this section. It shall be a violation of this section for any person to deny the Administrator access to any property after obtaining an inspection warrant from a magistrate or a court of competent jurisdiction for the inspection of such property. Nothing herein shall be construed to authorize the Administrator to enter or inspect the interior portions of any dwelling or structure situated on such property unless that inspection be reasonably necessary and directly related to verifying the presence and character of a stormwater control mitigation system or control measure that the Owner of the property claims to be installed therein.

(c) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the Administrator may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions which are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within the time specified.

(d) Pursuant to §62.1-44.15:40 of the Code of Virginia, and subject to provisions therein regarding protection of specified confidential information, the Administrator may require every VSMP authority permit applicant or permittee, or any such person subject to VSMP authority permit requirements under this Ordinance, to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of this Ordinance.

(e) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance and the recorded maintenance agreement shall be conducted by the Owner and at the Owner’s cost pursuant to the Locality's adopted and State Board approved inspection program, and shall occur within the minimum frequencies shown in table 8-80-1 following approval of the final construction record report for each stormwater facility.

Table 8-80-1

BMP Classification	BMP Type	Minimum Inspection Schedule	Notes
1	Rooftop Disconnection	Every 5 Years	Owner shall inspect and provide documentation as per the requirements found on the Virginia Stormwater BMP Clearinghouse Website and the Administrative Guidance Manual for BMPs within classification 2, 3, and 4. The County of Montgomery shall inspect all BMPs every 5 years.
1	Sheetflow to Vegetated Filter or Conserved Open Space	Every 5 Years	
1	Grass Channel	Every 5 Years	
1	Soil Amendments	Every 5 Years	
2	Permeable Pavement	Annually	
2	Infiltration	Annually	
2	Bioretention	Annually	
2	Dry Swale	Annually	
2	Wet Swale	Annually	
2	Filtering Practice	Annually	
2	Constructed Wetland	Annually	
2	Wet Pond	Annually	
2	Extended Detention	Annually	
3	Vegetated Roof	Twice per year (Spring/Fall)	
3	Rainwater Harvesting	Twice per year (Spring/Fall)	
4	Manufactured/ Other BMP	Yearly or per manufacturer recommendations, whichever is more frequent.	Owner shall inspect and provide documentation according to manufacturer's guidelines and the Administrative Guidance Manual.

(f) The owner shall furnish to the Administrator an inspection report for BMPs within classifications 2, 3, and 4 as provided in Table 8-80-1 prepared by a qualified inspector within the timeframe listed in Table 8-80-1. This report shall include, but not be limited to, the items listed in Table 8-80-1, current photographs of the BMP, and a summary of the current BMP condition and any recommendations for improvements, if necessary.

(g) Qualified inspection personnel include professional engineer, architect, landscape architect, or land surveyor registered in the Commonwealth of Virginia or project inspector for SWM or combined administrator for SWM who have met the certification requirements of 9VAC25-850-50.

(h) Post-construction inspections of stormwater management facilities required by the provisions of this Ordinance shall be conducted by the Administrator pursuant to the County of Montgomery's adopted and State Board approved inspection program, and shall occur, at a minimum, at least once every five (5) years.

Sec. 8-81 HEARINGS

(a) Any permit applicant or permittee, or person subject to Ordinance requirements, aggrieved by any action of the County taken without a formal hearing, or by inaction of the County, may demand in writing a formal hearing by the Building Code of Appeals causing such grievance, provided a petition requesting such hearing is filed with the Administrator within 30 days after notice of such action is given by the Administrator.

(b) The hearings held under this Section shall be conducted by the Building Code of Appeals at a regular or special meeting of the Building Code of Appeals, or by at least one member of the Building Code of Appeals designated by the Building Code of Appeals to conduct such hearings on behalf of the Building Code of Appeals at any other time and place authorized by the Building Code of Appeals.

(c) A verbatim record of the proceedings of such hearings shall be taken and filed with the Building Code of Appeals. Depositions may be taken and read as in actions at law.

(d) The Building Code of Appeals or its designated member, as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or to testify or to produce documents shall be acted upon by the Building Code of Appeals, or its designated member, whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursement for mileage as in civil actions.

Sec. 8-82 APPEALS

Appeals to decisions made by the Building Code of Appeals are subject to judicial review by the Montgomery County Circuit Court provided an appeal is filed within 30 days from the date of any written decision adversely affecting the rights, duties or privileges of the person engaging in or proposing to engage in land disturbing activities.

Sec. 8-83 ENFORCEMENT

(a) If the Administrator determines that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.

(1) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the Administrator.

(2) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the Administrator may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.

Such orders shall be issued in accordance with the Administrative Guidance Manual. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the Administrator. However, if the Administrator finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not complying with the terms thereof, the Administrator may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with Subsection 8-83 (c).

(b) In addition to any other remedy provided by this Ordinance, if the Administrator or his designee determines that there is a failure to comply with the provisions of this Ordinance, they may initiate such informal and/or formal administrative enforcement procedures in a manner that is consistent with the Administrative Guidance Manual.

(c) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the Administrator may be compelled in a proceeding instituted in the Montgomery County Circuit Court by the Locality to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

(d) Any person who violates any provision of this Ordinance or who fails, neglects, or refuses to comply with any order of the Administrator, shall be subject to a civil penalty not to exceed $32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.

(1) Violations for which a penalty may be imposed under this Subsection shall include but not be limited to the following:

(i) No state permit registration;

(ii) No SWPPP;

(iii) Incomplete SWPPP;
(iv) SWPPP not available for review;
(v) No approved erosion and sediment control plan;
(vi) Failure to install stormwater BMPs or erosion and sediment controls;
(vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
(viii) Operational deficiencies;
(ix) Failure to conduct required inspections;
(x) Incomplete, improper, or missed inspections; and
(xi) Discharges not in compliance with the requirements of Section 9VAC25-880-70 of the general permit.

(2) The Administrator may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.
(3) In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.
(4) Any civil penalties assessed by a court as a result of a summons issued by the Locality shall be paid into the treasury of Montgomery County to be used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the locality and abating environmental pollution therein in such manner as the court may, by order, direct.

(e) Notwithstanding any other civil or equitable remedy provided by this Section or by law, any person who willfully or negligently violates any provision of this Ordinance, any order of the Administrator, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than $2,500 nor more than $32,500, or both.

Sec. 8-84 FEES

(a) Fees to cover costs associated with implementation of a VSMP related to a detached single-family home construction within or outside of common plan of development or sale with a land-disturbing activity less than five (5) acres. 50% of the applicable fees designated to the Administrator paid by the Applicant to the Administrator at the initial plan submittal. Prior to permit issuance, the remaining fee shall be paid by the Applicant to the Administrator.

Table 8-84A Land Disturbance Permit Fees For Detached Single-Family Home Construction Within Or Outside Of Common Plan Of Development Or Sale With A Land-Disturbing Activity Less Than Five (5) Acres

Fee type	Total Fee	VSMP Authority (Administrator) portion	Department (DEQ) portion
General / Stormwater Management - Detached Single-Family Home Construction (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	$209	$209	$0
General / Stormwater Management - Detached Single-Family Home Construction (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	$209	$209	$0

(b) Fees to cover costs associated with implementation of a VSMP related to land disturbing activities and issuance of general permit coverage and VSMP authority permits shall imposed in accordance with the VSMP Permit Regulations 9VAC25-870-820 and as per the fee schedule provided below in Table 8-84B. 50% of the applicable fees designated to the Administrator paid by the Applicant to the Administrator at the initial plan submittal. Prior to permit issuance, the remaining fee shall be paid by the Applicant to the Administrator. The Administrator shall on a regular basis, as agreed to by the Department, shall remit the Department portion of the fee to the Department.

Table 8-84B Land Disturbance Permit Fees for the General Permit for Discharges of Stormwater from Construction Activities

Fee type	Total Fee	VSMP Authority (Administrator) portion	Department (DEQ) portion
General/Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre.)	$290	$209	$81
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	$2,700	$1944	$756

General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$3,400	$2448	$952
General/Stormwater Management – Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	$4,500	$3,240	$1,260
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$6,100	$4,392	$1,708
General/Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$9,600	$6,912	$2,688

(c) Fees for the modification or transfer of registration statements from the general permit issued by the State Board shall be imposed in accordance with the VSMP Permit Regulations 9VAC25-870-825 and as per the fee schedule provided below in Table 8-84C and shall be paid directly to the Administrator.

Table 8-84C Fees for the Modification or Transfer of Registration Statements for the General Permit for Discharges of Stormwater from Construction Activities

Type of Permit	VSMP Authority (Administrator) Fee Amount
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	$20
General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	$200

General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$250
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$300
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$450
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	$700

If the general permit modifications result in changes to stormwater management plans that require additional review by Montgomery County, such reviews shall be subject to the fees set out in the VSMP Permit Regulations 9VAC25-870-825 and the fee schedules provided above. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in the VSMP Permit Regulations 9VAC25-870-820 and as per the fee schedule provided in Table 8-84B. These fees shall be paid directly to the Administrator.

(d) The annual permit maintenance fees shall be imposed in accordance with the VSMP Permit Regulations 9VAC25-870-830 and as per the fee schedule provided below in Table 8-84D, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated.

Table 8-84D Annual Maintenance Fees for the General Permit for Discharges of Stormwater from Construction Activities

Type of Permit	**VSMP Authority (Administrator) Fee Amount**
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	$50

General / Stormwater Management – Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	$400
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	$500
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	$650
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	$900
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	$1,400

General permit coverage maintenance fees shall be paid annually to Montgomery County, by the anniversary date of general permit coverage. No permit will be reissued or automatically continued without payment of the required fee. General permit coverage maintenance fees shall be applied until a Notice of Termination is effective.

(e) The fees set forth in Subsections (a) through (d) above, shall apply to:

(1) All persons seeking coverage under the general permit.
(2) All permittees who request modifications to or transfers of their existing registration statement for coverage under a general permit.
(3) Persons whose coverage under the general permit has been revoked shall apply to the Department for an Individual Permit for Discharges of Stormwater From Construction Activities.
(4) Permit and permit coverage maintenance fees outlined under Section 8-84 (d) may apply to each general permit holder.

(f) No general permit application fees will be assessed to:

(1) Applicants who request a permit for a detached single-family home construction within or outside of common plan of development or sale with a land-disturbing activity less than five (5) acres.
(2) Permittees who request minor modifications to general permits as defined in Section 8-71 of this Ordinance. Permit modifications at the request of the permittee resulting in changes to stormwater management plans that require additional review by the Administrator shall not be exempt pursuant to this Section.

(3) Permittees whose general permits are modified or amended at the initiative of the Department, excluding errors in the registration statement identified by the Administrator or errors related to the acreage of the site.

(g) All incomplete payments will be deemed as nonpayments, and the applicant shall be notified of any incomplete payments. Interest may be charged for late payments at the underpayment rate set forth in §58.1-15 of the Code of Virginia and is calculated on a monthly basis at the applicable periodic rate. A 10% late payment fee shall be charged to any delinquent (over 90 days past due) account. Montgomery County shall be entitled to all remedies available under the Code of Virginia in collecting any past due amount.

Sec. 8-85 Performance Bond (9VAC24-870-104.D)

Prior to issuance of any permit, the Applicant shall be required to submit a reasonable performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement acceptable to the County Attorney and Administrators, to ensure that measures could be taken by the County at the Applicant's expense should applicant fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him by the permit conditions as a result of his land disturbing activity. If the County takes such action upon such failure by the Applicant, the County may collect from the Applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the Applicant or terminated.

The vote on the forgoing ordinance was as follows:

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

ORD-FY-14-23
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 3.328 ACRES FROM AGRICULTURAL (A1) TO TRADITIONAL NEIGHBORHOOD DEVELOPMENT INFILL (TND-I) INCLUDING A SUP TO ALLOW SENIOR HOUSING AND FARM MARKET IN TND-1 AND AMEND THE ZONING CLASSIFICATION OF APPROXIMATELY 5.00 ACRES FROM AGRICULTURAL (A1) TO MULTIPLE FAMILY RESIDENTIAL (RM-1) BOTH REZONINGS IN THE PRICES FORK MAGISTERIAL DISTRICT (DISTRICT E) LOCATED AT 4237 PRICES FORK RD. BLACKSBURG, VA, IDENTIFIED FURTHER AS TAX PARCEL NO. 052-A-50, PARCEL ID. NUMBER 070688

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning and special use permit request is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 3.328 acres from Agricultural (A1) to Traditional Neighborhood Development Infill (TND-I), including a Special Use Permit (SUP) in Traditional Neighborhood Development Infill (TND-I) to allow senior housing and a farm market, and 5.00 acres from Agriculture (A1) to Multiple Family Residential (RM-1) to allow multi-family residential, residential, and limited commercial uses with the following proffered conditions:

1) Property shall be developed in substantial conformance with the conceptual plan by Balzer and Associates, Inc. dated March 3, 2014.
2) The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available.
3) A detailed site plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.
4) Stormwater management on the property shall be in accordance with all State and Local stormwater management standards.
5) The following uses will be prohibited in the TND Infill district and the RM-1 district: funeral home, cemetery, boarding or transition houses, and park and ride lot.
6) The applicant shall provide a trail connection at a mutually beneficial location on the eastern side of the property at the time a future trail system is identified and constructed by Montgomery County serving the property.
7) The applicant commits to coordinate with Montgomery County and the Virginia Department of Transportation in the future in regards to the dedication of additional right of way or easements to better facilitate pedestrian, bicycle or vehicular travel along the subject property's frontage on Prices Fork Road within the Prices Fork historic village area.
8) The applicant shall provide at a minimum a 5' x 14' covered bus shelter constructed of durable architecturally sound materials that will withstand continual exposure to the elements. The shelter shall be located at one of the proposed site entrances along the frontage of Prices Fork Road with the specific site to be determined at a later date. The shelter shall be completed prior to any CO's being issued in Phase II if Phase II is developed for any residential use other than senior housing or once the property is served by public transit, whichever occurs first.
9) Any additional building constructed in the TND Infill district as shown in Phase III will have an architectural style that is complimentary to the existing building.
10) Any structures located in Phase II will have a variety of exterior finishes, textures and styles that are in keeping with the Prices Fork Village Comprehensive plan principles including but not limited to masonry materials such as brick or stone, cementitous siding, and vinyl siding.

11) The project will incorporate the following sustainable design features:
    a. Maximize the walkability of the property with sidewalks and pedestrian paths.
    b. Maximize green space and limit hard paved surfaces.
    c. Residential units will be energy efficient and will meet Energy Star certification where applicable.

12) Prior to site plan approval of Phase II, the applicant agrees to submit the site plan to the Montgomery County Planning Commission for their review and comment on the proposed plan's compatibility with the approved zoning. The applicant further agrees to a work session meeting with the Planning Commission to discuss the site plan.

13) The applicant will investigate the opportunity to work with Montgomery County to obtain Community Development Block Grant or Home Consortium funds and other types of alternative financing for the development of Phase II.

14) Any daycare facility proposed for the project will be fully licensed and certified to meet all required Federal, State and Local guidelines governing daycare facilities.

The subject parcel is located at 4237 Prices Fork Rd, Blacksburg, Va. and identified as Tax Parcel No. 052-A-50, (Account No. 070688) in the Prices Fork Magisterial District (District E).

The property lies in an area designated as Village Expansion in the Comprehensive Plan and Mixed Use in the Prices Fork Village Plan.

This action was commenced upon the application of Montgomery County Board of Supervisors and Taylor Hollow Management (Agent: Balzer & Associates).

This ordinance shall take effect upon adoption.

The vote on the forgoing resolution was as follows:

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

NEW BUSINESS

R-FY-14-163
A RESOLUTION APPROVING THE LINE OF SIGHT EASEMENT AND MAINTENANCE AGREEMENT BETWEEN FOREST PARK OF VIRGINIA, LLC, COUNTY OF MONTGOMERY AND THE HIGHLANDS AT HUCKLEBERRY RIDGE, LLC

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

WHEREAS, The Highlands at Huckleberry Ridge, LLC ("Developer") is developing the Huckleberry Ridge residential subdivision ("Development") off Merrimac Road in Montgomery County, Virginia; and

WHEREAS, One of the conditions to develop, the County is requiring an emergency access road; and

WHEREAS, The emergency access road in the later phase of Development will be improved by the Developer into a new public street maintained by VDOT; and

WHEREAS, To improve safety at the proposed intersection of the emergency access road (later to be public road), VDOT has requested the Developer to arrange for a line of sight easement along Merrimac Road; and

WHEREAS, Forest Park of Virginia, LLC, has agreed to grant the line of sight easement to the County with the Developer agreeing to maintain the easement area until such time as the Emergency Access Road is improved and accepted by VDOT as a public road.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves the Line of Sight Easement and Maintenance Agreement between Forest Park of Virginia, LLC, the County of Montgomery, Virginia and the Highlands at Huckleberry Ridge, LLC; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, William H. Brown, to execute the Line of Sight Easement and Maintenance Agreement and accept the dedication of the Line of Sight Easement on behalf of the County of Montgomery, Virginia; and execute any other documents required to close the transaction.

The vote on the forgoing resolution was as follows:

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

A-FY-14-108
SCHOOL CAPITAL PROJECTS FUND
TRANSFER FROM THE PRICES FORK ELEMENTARY SCHOOL PROJECT
TO THE SHAWSVILLE MIDDLE SCHOOL ANNEX DEMOLITION PROJECT

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

BE IT RESOLVED, That a transfer between projects of the School Capital Projects Fund was granted for the function and in the amount as follows:

FROM:
6616 Price's Fork Elementary School ($159,564)

TO:
6614 Shawsville Middle School Project $159,564

Said resolution transfers funds from the 2008 bond issuance for the Price's Fork Elementary School project to the Shawsville Middle School project for demolition of the Shawsville Middle School Annex.

The vote on the forgoing resolution was as follows:

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

ORD-FY-14-24
AN 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 PRECINCTS 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 Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that Election District A, Voting Precincts A-2 and A-3, Election District E, Voting Precincts E-1 and E-3, Election District F, Voting Precincts F-1 and F-2, Election District G, Voting Precinct G-1 and the E-3 Voting Precinct Polling Location shall be amended and reordained and the F-3 Voting Precinct and the F-3 Voting Precinct Polling Location shall be created and ordained as follows:

ELECTION DISTRICT A (2014 ~~2011~~)

Beginning at the most northern corner of Montgomery County; thence in a southeasterly direction along the eastern Montgomery County boundary line, said boundary line also being

Roanoke County boundary line to its intersection with Catawba Road (State Route 785); thence in a southeasterly direction along said eastern Montgomery County boundary line to the ridge line of Paris Mountain; thence in a southwesterly direction with the ridge line of Paris Mountain to a point of departure; thence in a southeasterly direction; thence westerly; thence southeasterly; thence southwesterly along said ridge line to its intersection with Taylor Hollow Road (State Route 712); thence in a southwesterly direction along said road to its intersection with Lusters Gate Road (State Route 723); thence in a southerly direction along said road to its intersection with Ellett Road (State Route 723); thence in a southeasterly direction along said road to its intersection with Jennelle Road (State Route ~~Road~~ 603); thence in a northwesterly direction along said road to its intersection with Cedar Run Road (State Route 603); thence in a northwesterly direction along said road to its intersection with the Town of Blacksburg Corporate line; thence southwesterly along said corporate line to its with intersection with Jennelle Road (State Route 642); then southwesterly along said road to its intersection with Yellow Sulphur Road (State Route 643); thence northwesterly along said road to its intersection with said Town of Blacksburg Corporate line; thence northwesterly along said corporate line; thence westerly; thence southwesterly along said corporate line to intersection Yellow Sulphur Road; thence northwesterly along said road to its intersection with South Main Street (U.S. Highway 460 Business); thence northeasterly along said street to a point of departure, said point being a southeasterly extension of Virginia Tech-Montgomery Executive Airport Runway 30; thence northwesterly along said runway extension line to a point of departure; thence in a southwesterly along a line to its intersection with Research Center Drive; thence northwesterly along said road until its intersection with Washington Street SW; thence northeasterly along said street to a point of intersection with Kent Street; thence northwesterly along said street to a point of intersection with Wall Street; ~~with northwesterly direction along said road to its intersection with the Town of Blacksburg Corporate line and Ellett Road; thence northwesterly along said road to its intersection with Hubbard Street; thence in a westerly direction along said street to its intersection with Airport Road; thence in a northerly direction along said road to its intersection with County Club Drive; thence in a westerly direction along said drive to its intersection with an unnamed trail; thence in a southwesterly direction along said unnamed trail to its intersection with a Town of Blacksburg exercise path, also known as the Huckleberry Trail; thence in a southeasterly direction, thence northwesterly along said trail to its intersection with Tech Center Drive; thence in a northwesterly direction along said drive to its intersection with Spring Street and Southgate Drive;~~ ~~thence in a northeasterly direction along said street to a point of departure; thence in a northwesterly direction, said line traversing between O'Shaughnessy, Johnson, and Newman Halls (Virginia Tech buildings) to its intersection with sidewalk, said sidewalk running along the northerly portion of Newman Hall; thence in a northwesterly direction along said sidewalk to its intersection with a sidewalk, said sidewalk running along the southeasterly portion of Vewter Hall (Virginia Tech building); thence in a southeasterly direction along said sidewalk to its intersection with Wall Street;~~ thence in a northeasterly direction along said street to its intersection with Otey Street; thence in a northwesterly direction along said street to its intersection with West Roanoke Street; thence in a northeasterly direction along said street to its intersection with Draper Road; thence in a northwesterly direction along said road to its intersection with Jackson Street; thence in a northeasterly direction along said street to its intersection with Bennett Street; thence in a northwesterly direction along said street to its intersection with Harding Avenue; thence in a northeasterly direction along said avenue to its intersection with Harding Road (State Route 785); thence in a easterly direction along said road, thence northeasterly, thence southerly, thence northeasterly along said road to its intersection with Happy Hollow Road (State Route 815), thence in a northeasterly direction along said road; thence northwesterly to its intersection with the Town of Blacksburg Corporate line; thence in a northeasterly direction along said corporate

line; thence northwesterly to its intersection with Coal Bank Hollow Road (State Route 649); thence northwesterly along said corporate line, thence southwesterly ~~thence in a southeasterly direction along said road~~ to its intersection with Pandapas Pond Road (U.S. Highway 460); thence in a northwesterly, thence in a westerly direction along said road to its intersection with the Montgomery County boundary line, said line also being the Giles County boundary line; thence in a northeasterly direction along said boundary line to the most northern corner of Montgomery County, the point of beginning.

ELECTION DISTRICT E (2014 ~~2011~~)

Beginning at the intersection of the western boundary of the County of Montgomery and the Peppers Ferry Road (State Route 114) bridge over the New River; thence in an easterly direction with Peppers Ferry Road (State Route 114) to its intersection with the Town of Christiansburg Corporate line; thence in a northerly direction along said corporate line to its intersection with Norfolk Southern Railroad; ~~thence in a easterly direction along said railroad to its intersection with the Town of Christiansburg Corporate line;~~ thence in a northerly ~~easterly~~ direction along said corporate line; thence in an easterly direction along said corporate line to its intersection with South Main Street (U.S. Highway 460 Business); thence in a northeasterly direction along said road to the Town of Blacksburg Corporate line; thence ~~in a southerly direction~~ along said corporate line; thence ~~northeasterly; thence northwesterly; thence northerly~~ along said corporate line to its intersection with Yellow Sulphur Rd; ~~Cedar Run Road (State Route 603)~~; thence in a northwesterly direction along said road to its intersection with South Main Street (U.S. Highway 460 Business) ~~Ellet Road~~; thence in a northeasterly ~~westerly~~ direction along said street ~~Ellett Road~~ to a point of departure being the southeasterly extension line of Virginia Tech-Montgomery Executive Airport Runway 30; thence northwesterly along said runway extension line to a point of departure; thence southwesterly along a line to its intersection with Research Center Drive; thence northwesterly along said street to its intersection with Spring Road; thence in a northerly direction along said road to its intersection with Washington Street SW; thence northeasterly along said street to a point of departure; thence in a northwesterly along a line between Virginia Tech O'Shaughnessy Hall and Johnson Hall to a point of intersection with a sidewalk; said sidewalk running between Virginia Tech Owens Hall and New Residence Hall East; thence in a northwesterly direction along said sidewalk to its intersection with Drillfield Drive; thence in a counterclockwise direction along said drive to its intersection with West Campus Drive; thence in a northwesterly direction along said drive to a point of intersection with Prices Fork Road; thence in a westerly direction along said road; thence southwesterly; thence southeasterly to its intersection with U.S. Highway 460 Bypass; thence in a southeasterly direction along said highway to a point of departure, said point being the intersection of U.S. Highway 460 Bypass and the Huckleberry Trail; thence in a southerly direction along said trail to its intersection with an unnamed trail; thence in a southeasterly direction along said unnamed trail to its intersection with another unnamed trail; thence in a southwesterly direction along unnamed trail to its intersection with the Town of Blacksburg Corporate line; thence in a southwesterly direction along said corporate line to its intersection with Merrimac Road (State Route 657); thence in a northwesterly direction along said corporate line; thence westerly; thence northwesterly; thence easterly; thence northwesterly to its intersection with Prices Fork Road (State Route 685); thence in a westerly direction along said corporate line and Prices Fork Road to a point of departure with Prices Fork Road; thence in a northwesterly direction along said corporate line; thence westerly to its intersection with Walnut Spring Road (State Route 657); thence in a northerly direction along said corporate line to its intersection with Toms Creek; thence in a easterly direction along said corporate line, thence northerly; thence northwesterly, thence northeasterly; thence northwesterly to its intersection with an unnamed trail; thence

westerly direction along said unnamed trail; thence westerly; thence northwesterly to its point of intersection with Forest Service Road 708; thence in a northwesterly direction; thence northerly to its intersection with the northern Montgomery County boundary line, said line also being the south boundary line for Giles County; thence in a southwesterly direction along said boundary line to its intersection with a point being generally the center of the New River and the Montgomery County western boundary line; thence in a southwesterly along said boundary line; thence northeasterly, thence southerly, thence southwesterly; thence southeasterly to its intersection with Peppers Ferry Road (State Route 114), ~~its intersection with South Main and Hubbard Streets; thence in a northwesterly direction along Hubbard Street, thence southwesterly to its intersection with Airport Road; thence in a northerly direction along said road to its intersection with County Club Drive; thence in a westerly direction along said drive to its intersection with an unnamed trail; thence in a southwesterly direction along said unnamed trail to its intersection with a Town of Blacksburg exercise path, also known as Huckleberry Trail; thence in a southeasterly direction along said exercise path; thence northwesterly to its intersection with Tech Center Drive; thence in a northwesterly direction along said drive to its intersection with Spring Street and Southgate Drive; thence in a northerly direction along said Spring Street to its intersection with Washington Street; thence in a northeasterly direction along said street to a point of departure; thence in a northwesterly direction along a line, said line traversing between O'Shaughnessy, Johnson, and Newman Halls (Virginia Tech buildings) to its intersection with a sidewalk, said sidewalk running along the northerly portion of Newman Hall (Virginia Tech building); thence in a northwesterly direction along a line traversing across Owens Hall to its intersection with Drillfield Drive; thence in a counterclockwise direction around said drive to its intersection with West Campus Drive; thence in a southeasterly direction along said drive to its intersection with Grove Lane; thence in a southwesterly direction along said lane; thence westerly; thence northwesterly direction to its intersection with Plantation (Ext) Road; thence in a southwesterly direction along said road; thence northwesterly; thence southwesterly; thence northwesterly; thence southwesterly to its intersection with U.S. Highway 460 Bypass; thence in a southeasterly direction along said highway to a point of departure said point being the intersection of U.S. Highway 460 Bypass and the Huckleberry Trail; thence in a southeasterly direction along said trail to its point of intersection with an unnamed trail; thence in a southeasterly direction along said unnamed trail to its intersection with another unnamed trail; thence in a southwesterly direction to its point of intersection with the Town of Blacksburg Corporate line; thence in a southwesterly direction along said unnamed trail to its point of intersection with the Town of Blacksburg Corporate line; thence in a westerly direction along said unnamed trail and corporate line to its intersection with Merrimac Road (State Route 657); thence in a northwesterly direction along said corporate line; thence northerly; thence southwesterly; thence northwesterly to its intersection with Merrimac Road (State Route 657); thence in a northerly direction along said corporate line and Merrimac to a point of departure; thence easterly; thence northerly to its intersection with Prices Fork Road (State Route 685); thence westerly along said corporate line and Prices Fork Road to a point of departure; thence in a northwesterly direction along said corporate line; thence westerly to its intersection with Walnut Spring Road (State Route 657); thence in a northerly direction along said corporate line to its intersection with Toms Creek; thence in a easterly direction along said corporate line, thence northerly, thence northwesterly, thence northeasterly; then northwesterly to its intersection with an unnamed trail; thence westerly along said unnamed trail to its point of intersection with Forest Service Road 708; thence in a northerly direction along said forest service road to a point of departure; thence traversing in a southwesterly direction; thence northwesterly to its intersection with the northern Montgomery County boundary line, said line also being the south boundary line for Giles County; thence in a southwesterly direction along said boundary line to its intersection with the Pulaski County~~

~~boundary line and the New River; thence in a southerly direction along said boundary line and New River; thence easterly; thence westerly; thence southerly to the State Route 114 bridge,~~ the point of beginning.

ELECTION DISTRICT F (2014 ~~2011~~)

Beginning at the intersection of Pandapas Pond Road (U.S. Highway 460) and the Montgomery County boundary line near the crest of Brush Mountain; thence in a southeasterly direction along said road; thence easterly; thence northeasterly; thence southeasterly to a point of intersection with U.S. Highway 460 Bypass; thence southwesterly direction along said highway ~~road~~ to a point of intersection with Toms Creek Road; thence in a southerly direction along said road to its intersection with ~~Winston Avenue; thence in a northeasterly direction along said avenue to its intersection with~~ Edge Way; thence northeasterly along said way to a point of departure; thence in a south easterly direction; thence in a northeasterly direction to a point of intersection with Kabrich Street; thence in a southerly direction along said street to its intersection with North Main Street (U.S. Highway 460 Business); thence in a southeasterly direction along said street to its intersection with College Avenue ~~Turner Street~~; thence in a southwesterly direction along said avenue ~~street~~ to a point of ~~departure being the northern extension of a line from the northeast corner of Monteigh Hall; thence in a southerly direction to a sidewalk on the southwest side of Shank Hall and Rashe Hall; thence in a southeasterly direction along said sidewalk to a point of intersection with Alumni Mall; thence in a northeasterly direction along said mall to its intersection with North Main Street; thence in a southeasterly direction along said street to its intersection with Jackson Street; thence in a southwesterly direction along said street to its intersection of Draper Street; thence southeasterly direction along said street to its intersection with Roanoke Street; thence in a southwesterly direction along said street to its~~ intersection with Otey Street; thence in a southeasterly direction along said street to its intersection with Wall Street; thence in a southwesterly direction along said street to its intersection with Kent Street; thence in a south~~north~~westerly direction along said street to its intersection with Washington Street SW; thence southwesterly along said street to a point of departure; thence in a northwesterly direction along a line between Virginia Tech O'Shaughnessy Hall and Johnson Hall to a point of intersection with a sidewalk, said sidewalk running between Virginia Tech Owens Hall and New Residence Hall East; thence in a northwesterly direction along said sidewalk to its intersection with Drillfield Drive; thence in a counterclockwise direction along said drive to its intersection with West Campus Drive; thence in a northwesterly direction along said drive to a point of intersection with Prices Fork Road (State Route 685); thence in a westerly direction; thence southwesterly; thence southeasterly along said road to its intersection with U.S. Highway 460 Bypass; thence in a southeasterly direction along said highway to a point of departure; said point being the intersection of U.S. Highway 460 Bypass; ~~a sidewalk, said sidewalk running in a southwesterly direction between Vawter Hall and Barringer Hall; thence in a southwesterly direction along said sidewalk to its intersection with a sidewalk running in a northwesterly direction between Vawter Hall and Newman Hall; thence in a northwesterly direction along said sidewalk to a sidewalk running in a southwesterly direction in front of Newman Hall to a point of departure; thence in a northwesterly direction traversing Owens Hall to a point of intersection with Drillfield Drive; thence in a counterclockwise direction along said drive to its intersection with West Campus Drive; thence in a southeasterly direction along said drive to a point of intersection with Grove Lane; thence in a southwesterly direction along said lane; thence westerly to its intersection with Duckpond Drive; thence in a northwesterly direction along said drive to a point of intersection with Plantation (EXT) Road; thence in a southwesterly direction along said road; thence in a westerly; thence southwesterly to its intersection with U.S. Highway 460 Bypass;~~ thence in a southeasterly direction along said

highway to a point of departure; said point being the intersection of U.S. Highway 460 Bypass and the Huckleberry Trail; thence in a southerly direction along said trail to its intersection with an unnamed trail; thence in a southeasterly direction along said unnamed trail to its intersection with another unnamed trail; thence in a southwesterly direction to its intersection with the Town of Blacksburg Corporate line; thence in a southwesterly direction along said corporate line to its intersection with Merrimac Road (State Route 657); thence in a northwesterly direction along said corporate line; thence westerly; thence northwesterly; thence in a easterly; thence northwesterly to its intersection with Prices Fork Road (State Route 685); thence in a westerly direction along said corporate line and Prices Fork Road to a point of departure with Prices Fork Road; thence in a northwesterly direction along said corporate line; thence westerly to a point of departure ~~its intersection with Walnut Spring Road (State Route 657)~~; thence in a northwesterly direction along said corporate line; thence northerly to its intersection with Toms Creek; thence in a easterly direction along said corporate line, thence northerly; thence northwesterly, thence northeasterly; thence northwesterly to its intersection with an unnamed trail; thence westerly direction along said unnamed trail; thence northwesterly to its point of intersection with Forest Service Road 708; thence northeasterly along said forest service road to a point of departure; thence traversing in a westerly direction; thence northerly along this traverse to its intersection with the northern Montgomery County boundary line, said line also being the south boundary line for Giles County; thence in a northeasterly direction along said boundary line to its intersection with Pandapas Pond Road (U.S. Highway 460), the point of beginning.

ELECTION DISTRICT G (2014 ~~2011~~)

Beginning at the intersection of the U.S. Highway 460 Bypass and Town of Blacksburg Corporate Line ~~Coal Bank Hollow Road (State Route 649)~~; ~~thence in a northeasterly direction along said corporate line road to its intersection with Town of Blacksburg Corporate line;~~ thence in a southeasterly direction along said corporate line; thence easterly; thence southeasterly; thence southerly to its intersection with Bishop Road (State Route 648); thence in a southeasterly direction along said corporate line; thence southwesterly; thence northwesterly; thence southwesterly to its intersection with Happy Hollow Road (State Route 815); thence in a southeasterly direction along said road; thence southwesterly; thence southerly to its point of intersection with Harding Road (State Route 785); thence in a southwesterly direction along said road; thence northerly; thence westerly; thence southwesterly; thence westerly to its point of intersection with Harding Avenue; thence in a southwesterly direction along said avenue to its intersection with Bennett Street; thence in a southeasterly direction along said street to its intersection with Jackson Street NW; thence in a southwesterly direction along said street to its intersection with Draper Rd NW; ~~North Main Street;~~ thence in a southeasterly direction along said road to its intersection with West Roanoke Street; thence in a southwesterly direction along aid road to its intersection with Otey Street NW; thence in a northwesterly direction along said street to its intersection with College Avenue; thence in a northeasterly direction along said avenue to its intersection with North Main Street (U.S. Highway 460 Business); thence northerly along said street to its point of intersection with Kabrich Street; thence in a westerly direction along said street; thence northwesterly to its intersection with Winston Avenue; thence in a southwesterly direction to a point of departure; thence in a northwesterly direction; thence southwesterly to a point of intersection with Edge Way; thence in a southwesterly direction to its intersection with Toms Creek Road; ~~thence in a northwesterly direction along said street to its intersection with Alumni Mall; then southwesterly along said mall to a point of departure; thence~~

~~in a northwesterly direction to it point of intersection near the southwest corner of Rashe Hall; thence in a northerly direction to its intersection with Turner Street; thence in a southeasterly direction along said street; thence northeasterly to its intersection with North Main Street; thence in a northwesterly direction along said street to its intersection with Winston Avenue~~; ~~thence in a southwesterly direction along said avenue to its intersection with Toms Creek Road;~~ thence in a northwesterly direction along said road to its intersection with U.S. Highway 460 Bypass; thence northeasterly along said highway to its intersection with Town of Blacksburg Corporate Line, ~~Coal Bank Hollow Road (State Route 649),~~ the point of beginning.

VOTING PRECINCT A-2 (2014 ~~2011~~)

Beginning at the intersection of Harding Avenue and the Town of Blacksburg corporate line; thence in a southeasterly direction along said corporate line; thence southwesterly; thence southerly to a point of intersection with Clay Street (State Route 694) ~~departure; thence in a easterly direction to its intersection with an unnamed stream~~; ~~thence in a northwesterly direction along said unnamed stream to a point of departure;~~ thence in a southwesterly direction along said corporate boundary line; thence southeasterly; thence southerly ~~unnamed stream~~ to its intersection with Graves Avenue; thence in a southwesterly direction along said avenue to its intersection with South Main Street (U.S. Highway 460 Business); thence in a southeasterly direction along said street to its intersection with Airport Road; thence in a southwesterly direction along said road; thence southerly to its intersection with South Gate Drive; thence in a westerly direction along said road to its intersection with Spring Road ~~Street~~; thence in a northerly direction along said road ~~street~~ to its intersection with Washington Street SW; thence in a northeasterly direction along said street to its intersection with Kent Street; ~~a point of departure;~~ thence in a northwesterly ~~said line traversing between O'Shaughnessy, Johnson, and Newman Halls (Virginia Tech buildings) to its intersection with sidewalk, said sidewalk~~ ~~running along the northeasterly portion of Newman Hall; thence in a northeasterly direction along said sidewalk to its intersection with a sidewalk, said sidewalk running along the southeasterly portion of Vewter Hall (Virginia Tech building); thence in a southeasterly direction along said sidewalk to its intersection with a sidewalk, said sidewalk with running between Vawter Hall and Barringer Hall; thence in a northeasterly direction along said sidewalk to its intersection with Kent Street; thence in a southeasterly direction~~ along said street to its intersection with Wall Street; thence in a northeasterly direction along said street to its intersection with Otey Street; thence in a northwesterly direction along said street to its intersection with West Roanoke Street; thence in a northeasterly direction along said street to its intersection with Draper Road; thence in a northwesterly direction along said road to its intersection with Jackson Street NW; thence in a northeasterly direction along said street to its intersection with Bennett Street; thence in a northwesterly direction along said street to its intersection with Harding Avenue; thence in a northeasterly direction along said avenue to its intersection with the Town of Blacksburg Corporate line; the point of beginning.

Polling Place: Blacksburg Branch Library
Montgomery/Floyd Regional Library
200 Miller Street
Blacksburg, VA

VOTING PRECINCT A-3 (2014 ~~2011~~)

Beginning at the intersection of Research Center Drive ~~Tech Center Drive~~ with South Gate Drive; thence in an easterly direction with South Gate Drive to its intersection with Airport Road; thence in a northerly direction along said road; thence northeasterly to its intersection with

South Main Street (U.S. Highway 460 Business); thence in a northwesterly direction along said street to its intersection with Graves Avenue; thence in a northeasterly direction along said avenue to its intersection with Town of Blacksburg Corporate Line; thence northeasterly along said corporate line to a point of departure; thence in a northeasterly ~~westerly~~ direction along a line to its intersection with a unnamed stream; thence in a northeasterly direction along said unnamed stream; thence southeasterly; thence southerly to its intersection with a unnamed trail; thence in a southwesterly direction along said unnamed trail; thence easterly to its intersection with an unnamed stream; thence in a easterly direction along said unnamed stream; thence southeasterly to its intersection with Lusters Gate Road (State Route 723); thence in a southwesterly direction along said road to its intersection with a unnamed road; thence in a southeasterly direction along said unnamed road; thence southeasterly to its intersection with a unnamed stream; thence in a southeasterly direction along said unnamed stream; thence northeasterly; thence easterly to a point of departure; thence in a southeasterly direction to its intersection with an unnamed trail; thence in a easterly direction along said unnamed trail; thence northeasterly; thence south southeasterly; thence southwesterly to its intersection with Taylor Hollow Road (State Route 712); thence in a southwesterly direction along said road to its intersection with Lusters Gate Road (State Route 723); thence in a southwesterly direction along said road to its intersection with Ellett Road (State Route 723); thence southwesterly along said road to its intersection with Jennelle Road (State Route 603); thence in a northwesterly direction along said road; thence southwesterly ~~thence~~ to its intersection with Cedar Run Road (State Route 603); thence in a northwesterly direction along said road to a point of departure; thence southwesterly to its intersection with the Town of Blacksburg Corporate Line; thence southwesterly along said corporate line; thence southeasterly; thence southwesterly; thence northwesterly; thence southwesterly along said corporate line to its intersection with Brumfield Road (a private road); thence southwesterly along said corporate line to its intersection with Jennelle Road (State Route 642); thence westerly along said corporate line to its intersection with Yellow Sulphur Road (State Route 643); thence northwesterly along said corporate line to a point of departure; thence northeasterly along said corporate line; thence westerly along said corporate line; thence southerly along said corporate line to its intersection with Yellow Sulphur Road; thence northwesterly along said road to its intersection with South Main Street (U.S. Highway 460 Business); thence northeasterly along said street to a point of departure, said point being a southeasterly extension of Virginia Tech-Montgomery Executive Airport Runway 30; thence northwesterly along said runway extension line to a point of departure; thence in a southwesterly along a line to its intersection with Research Center Drive (a town of Blacksburg drive); thence northwesterly along said drive to its intersection with Southgate Drive ~~its intersection with Ellett Road; thence in a northerly direction along said road to its intersection with Hubbard Street; thence in a northwesterly direction along said street; then southwesterly to its intersection with Airport Road; thence in a northwesterly direction along said road to its intersection with; Country Club Drive; thence in a westerly direction along said drive to its intersection with an unnamed trail; thence in a northeasterly southwesterly direction along said unnamed trail to its intersection with a Town of Blacksburg exercise path, also known as the Huckleberry Trail; thence in a southwesterly direction to its intersection with an unnamed stream, thence north westerly along said trail to its intersection with Tech Center Drive; thence in a northwesterly direction along said drive to its intersection with Southgate Drive~~, the point of beginning.

Polling Place: Margaret Beeks Elementary School
709 Airport Road
Blacksburg, VA

VOTING PRECINCT E-1 (2014 ~~2011~~)

Beginning at the intersection of the Huckleberry Trail and U.S. Highway 460 Bypass; thence in a northeasterly direction along said trail to its intersection with an unnamed road; thence in a northerly direction along said unnamed road to its intersection with Dairy Road (a Virginia Tech Dairy Science road); thence southeasterly along said road; thence northwesterly along said road to its intersection with Southgate Drive; thence northeasterly along said drive to its intersection with Research Center Drive; thence southeasterly along said drive to a point of departure; thence northeasterly along a line to its intersection with the Virginia Tech-Montgomery Executive Airport Runway 30; thence southeasterly along said runway; thence southeasterly along an extension line of Virginia Tech-Montgomery Executive Airport Runway 30 to its intersection with South Main Street (U.S. Highway 460 Business); thence southwesterly along said street to its intersection with Yellow Sulphur Road; thence in an southeasterly direction along said road to its intersection with the Town of Blacksburg Corporate Line; thence in a southwesterly direction along said corporate line to its intersection with South Main Street (U.S. Highway 460 Business); ~~southeasterly direction along said highway bypass its intersection with South Main Street (U.S. Highway 460);~~ thence in a southwesterly direction along said street to its intersection with Town of Christiansburg Corporate line; thence in a northwesterly direction along said corporate line ~~to its intersection with Virginian Drive NW; thence in a northwesterly direction along said drive~~ to its intersection with Norfolk Southern Railroad; ~~thence in a northwesterly direction along said railroad; thence southwesterly to its intersection with Town of Christiansburg Corporate line;~~ thence in a southerly direction along said corporate line to its intersection with Peppers Ferry Road (State Route 114); thence in a northwesterly direction along said road; thence westerly to its intersection with Prices Fork Road (State Route 685); thence in a northerly direction along said road; thence northeasterly to the Town of Blacksburg Corporate line; thence in a easterly direction along said corporate line; thence southerly; thence westerly; thence southeasterly; thence easterly to its intersection with a unnamed trail; thence in a northeasterly direction along said unnamed trail; thence northwesterly to its intersection with the Huckleberry Trail; thence in a northeasterly direction along said trail to its intersection with U.S. Highway 460 Bypass, the point of beginning.

Polling Place: St. Michael's Lutheran Church
2308 Merrimac Road
Blacksburg, VA

VOTING PRECINCT E-3 (2014 ~~2011~~)

Beginning at the intersection of Prices Fork Road (State Route 412) and West Campus Drive; thence in a southeasterly direction along said drive to its intersection with ~~and~~ Drillfield Drive; thence in a northeasterly and southwesterly direction along said Drillfield Drive to a sidewalk that bisects Virginia Tech War Memorial Hall and Eggleston Hall; thence in a southeasterly direction along said sidewalk to another sidewalk that bisects Virginia Tech Owens Hall and Newman Hall and a point of departure; thence in a southwesterly direction along a line that ~~point of departure; thence in a southeasterly direction with a line that crosses Eggleston Hall, Owens Hall and~~ bisects the area between Virginia Tech O'Shaughnessy Hall and Johnson Hall to its intersection with Washington Street SW; thence southwesterly along said street to its intersection with Spring Street; thence in a southerly direction along said street to its intersection with Southgate Drive; ~~Tech Center Drive;~~ thence in a southwesterly~~easterly~~ direction along said drive to its intersection with Dairy Road (a Virginia Tech Dairy Science road); thence southeasterly direction along said road to its intersection with an unnamed road; thence in a northwesterly direction along said unnamed road; thence southerly along said unnamed road to its

intersection with the Huckleberry Trail; thence in a westerly ~~easterly~~ direction along said trail to its intersection with U.S. Highway 460 Bypass; thence northwesterly along said highway to its intersection with Prices Fork Road (State Route 412); thence in a northeasterly and southeasterly direction along said road to its intersection with West Campus Drive~~; then southeasterly, thence northeasterly to its intersection with an unnamed trail; thence southeasterly; thence northeasterly to its intersection with Country Club Drive; thence in a northeasterly direction along said drive to its intersection with Airport Road; thence in a southeasterly direction along said road to its intersection with Hubbard Street; thence in a northeasterly direction along said street to its intersection with Ellett Road; thence in a southerly direction along said road; thence southeasterly to its intersection with Cedar Run Road (State Route 603) and the Town of Blacksburg Corporate line; Thence in a southeasterly direction along said road with the corporate line to a point of departure with said road; thence in a southerly direction along said corporate line; thence southwesterly; thence southeasterly; thence southerly; thence southwesterly to its intersection with Yellow Sulphur Road (State Route 643); thence in a northwesterly direction along said corporate line with Yellow Sulphur Road to a point of departure with Yellow Sulphur Road (State Route 643); thence in a northerly direction along said corporate line; thence westerly; thence southerly to its intersection with Yellow Sulphur Road (State Route 643); thence in a northwesterly direction along said road to its intersection with South Main Street; thence in a northeasterly direction along said street to its intersection with U.S. Highway 460 Bypass; thence in a northwesterly direction along said highway bypass to its intersection with Plantation Road Extension; thence northeasterly along said road extension; thence southeasterly; thence northeasterly to its intersection with Duckpond Drive; thence in a southerly direction along said drive to its intersection with Grove Lane; thence in a easterly direction along said lane; thence northeasterly to its intersection with West Campus Drive; thence in a northwesterly direction along said drive to its intersection with Drillfield Drive~~, the point of beginning.

Polling Place: ~~Virginia Tech Montgomery Executive Airport 1601 Tech Center Drive Blacksburg, Virginia 24060~~ Squires Student Center 290 College Avenue Blacksburg, Virginia 24061

VOTING PRECINCT F-1 (2014 ~~2011~~)

Beginning at the intersection of Pandapas Pond Road (U.S. Route 460)~~, Forest Service Road 188-2 on the top of Brush Mountain,~~ and the northern Montgomery County boundary line, said line also being the south Giles County boundary line; thence in a southeasterly direction with Pandapas Pond Road (U.S. Route 460) to its intersection with U.S. Highway 460 Bypass; thence in a southeasterly direction along said highway bypass; thence in a southwesterly direction to its intersection with Toms Creek Road; thence in a southerly direction along said road to its intersection with Edge Way; thence in a northeasterly direction along said way to a point of departure; thence in a northeasterly direction to its intersection with Winston Avenue; thence in a northeasterly direction along said avenue to its intersection with Kabrich Street; thence in a southerly direction along said street to its intersection with North Main Street (U.S. Highway 460 Business); thence in a southerly direction along said street to its intersection with Turner Street; thence in a southwesterly direction along said street; thence in a northwesterly direction to its intersection with Prices Fork Road (State Route 412); ~~a sidewalk between Thomas Hall and Monteith Hall; thence in a southwesterly direction to an intersecting sidewalk in front of Thomas Hall; thence in a southwesterly direction with the sidewalk between Shanks Hall and Monteith Hall to the intersection with Alumni Mall; thence in a northeasterly direction along said mall to its intersection with North Main Street; thence in a southeasterly direction along said street to its~~

~~intersection with Jackson Street; thence in a southwesterly direction along said street to its intersection with Draper Road; thence in a southeasterly direction along said street to its intersection with Roanoke Street; thence is a southwesterly direction along said street to its intersection with Otey Street; thence in a southeasterly direction along said street to its intersection with Wall Street; thence in a southwesterly direction along said street to its intersection with Kent Street; thence in a northwesterly direction along said street to a sidewalk, said sidewalk running between Vawter Hall and Barringer Hall; thence southwesterly along said sidewalk to a sidewalk, said sidewalk running southwesterly in front of Newman Hall to a point of departure; thence in a northwesterly direction with a line that crosses Owens Hall and Eggleston Hall to its intersection with Drillfield Drive; thence in a northerly direction along said drive; thence northwesterly; thence southwesterly to its intersection with West campus Drive; thence in a northwesterly direction along said rive to its intersection with Prices Fork Road;~~ thence in a ~~northwesterly direction along said road;~~ thence southwesterly direction along said road to its intersection with U.S. Highway 460 Bypass; thence in a northerly direction along said highway bypass; thence northeasterly to its intersection with Glade Road; thence in a westerly direction along said road; thence southwesterly ~~northwesterly~~ to a point of departure; thence in a northwesterly direction to its intersection with the Town of Blacksburg Corporate line; thence in a northwesterly direction along said corporate line; thence northerly; thence northeasterly; thence northwesterly along said corporate line to its intersection with an unnamed trail; thence in a westerly along said unnamed trail; thence northwesterly to its point of intersection with Forest Service Road 708; thence northeasterly along said forest service road to a point of departure; thence traversing in a westerly direction; thence northerly along this traverse to its intersection with the northern Montgomery County boundary line, said line also being the south boundary line for Giles County; thence in a northeasterly direction along said boundary line to its intersection with Pandapas Pond Road (U.S. Highway 460), the point of beginning.

Polling Place: Luther Memorial Lutheran Church
600 Prices Fork Road
Blacksburg, VA

VOTING PRECINCT F-2 (2014 ~~2011~~)

Beginning at the intersection of Glade Road and U.S. Highway 460 Bypass; thence in a southwesterly direction along said highway bypass to its intersection with ~~Prices Fork Road; then in a northeasterly direction along said road; thence easterly to its intersection with West Campus Drive; thence in a southeasterly direction along said drive to its intersection with Grove Lane; then in a southwesterly direction; thence westerly to its intersection with Duckpond Drive; thence in a northwesterly direction along said drive to its intersection with Plantation Road Extension; thence in a southwesterly direction along said road extension; thence northwesterly; thence southwesterly to its intersection with U.S. Highway 460 Bypass; thence in a southeasterly direction along said highway bypass to its intersection with~~ the Huckleberry Trail; thence in a westerly direction to its intersection with an unnamed trail; thence in a southerly direction along said trail; thence southeasterly to its intersection with another unnamed trail; thence in a southwesterly direction to its intersection with the Town of Blacksburg Corporate line; thence in a southwesterly direction along said corporate line to its intersection with Merrimac Road (State Route 657); thence in a northwesterly direction along said corporate line; thence westerly; thence northwesterly; thence in a easterly; thence northwesterly to its intersection with Prices Fork Road (State Route 685); thence in a westerly direction along said corporate line and Prices Fork Road to a point of departure with Prices Fork Road; thence in a northwesterly direction along said corporate line; thence westerly to its intersection with Walnut Spring Road (State Route 657);

thence in a northerly direction along said corporate line to its intersection with Toms Creek; thence in a easterly direction along said corporate line, thence northerly; thence northwesterly, thence northeasterly; thence northwesterly to its intersection with Glade Road (State Road 655); thence in a northeasterly direction along said road; thence easterly; thence southeasterly to its intersection with U.S. Highway 460 Bypass, the point of beginning.

Polling Place Kipps Elementary School
2801 Prices Fork Road
Blacksburg, VA

VOTING PRECINCT F-3 (2014)

Beginning at the intersection of West Campus Drive and Prices Fork Road; thence in a northeasterly direction along said road to its intersection with Turner Street NW; thence in a southeasterly direction along said street; thence in a northeasterly direction along said street to its intersection with North Main Street (U.S. Highway 460 Business); then in a southeasterly direction along said street to its intersection with College Avenue; thence in a southwesterly direction along said avenue to its intersection with Otey Street NW; thence in a southeasterly direction along said street to its intersection with Wall Street; thence in a southwesterly direction along said street to its intersection with Kent Street; thence in a southeasterly direction along said street to its intersection with Washington St SW; thence in a southwesterly direction along said street to a point of departure; thence in a northwesterly direction along a line that bisects Virginia Tech O'Shaughnessy Hall and Johnson Hall to its intersection with a sidewalk that bisects Virginia Tech New Residence Hall East and Owens Hall and War Memorial Hall and Eggleston Hall; thence northwesterly along said sidewalk to its intersection with Drillfield Drive; thence in a northeasterly direction along said drive; thence northerly; thence southwesterly along said drive to its intersection with West Campus Drive; thence in a northwesterly direction along said drive to Prices Fork Road, the point of beginning.

Polling Place: Squires Student Center
290 College Avenue
Blacksburg, Virginia 24061

VOTING PRECINCT G-1 (2014 ~~2011~~)

Beginning at the intersection of the Blacksburg Corporate Line and the U.S. Highway 460 Bypass; thence in a northeasterly direction along said c~~C~~orporate line; thence in a southeasterly direction along said corporate line; thence easterly; thence southeasterly; thence southerly to its intersection with Bishop Road (State Route 648); thence in a southeasterly direction along said corporate line; thence southwesterly; thence northwesterly; thence southwesterly to its intersection with Happy Hollow Road (State Route 815); thence in a southeasterly direction along said road; thence southwesterly; thence southerly to its point of intersection with Harding Road (State Route 785); thence in a southwesterly direction along said road; thence northerly; thence westerly; thence southwesterly; thence westerly to its point of intersection with Harding Avenue; thence in a southwesterly direction along said avenue to its intersection with Bennett Street; thence in a southeasterly direction along said street to its intersection with Jackson Street NW; thence in a southwesterly direction along said street to its intersection with Draper Road NW ~~North Main Street~~; thence in a southeasterly ~~northwesterly~~ direction along said street to its intersection with West Roanoke Street ~~Alumni Mall~~; thence in a southwesterly direction along said street ~~mall~~ to ~~a point of departure; thence in a northwesterly direction to it point of~~ its intersection with Otey Street NW; thence in a northwesterly direction along said street to its

intersection with College Avenue; ~~near the southwest corner of Rashe Hall; thence in a northerly direction to its intersection with Turner Street; thence in a southeasterly direction along said street;~~ thence northeasterly along said avenue to its intersection with North Main Street (U.S. Highway 460 Business); thence in a northwesterly direction along said street; thence northeasterly; thence northerly to its intersection with Givens Lane; thence in a southwesterly direction along said lane to a point of departure; thence in a northwesterly direction to its intersection with U.S. Highway 460 Bypass; thence in a northeasterly direction along said highway bypass; thence northwesterly to the Blacksburg Corporate Line ~~Coal Bank Hollow Road (State route 649)~~, the point of beginning.

Polling Place: Blacksburg Community Center
725 Patrick Henry Drive
Blacksburg, VA

The vote on the forgoing ordinance was as follows:

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

BOARD MEMBERS' REPORTS

Supervisor Gabriele has taken on a new position (supplemental) for three years, as a resident faculty principal and living on campus, which is out of his voting district. The County Attorney got an opinion from the Attorney General, and the Attorney General's opinion was that Supervisor Gabriele is keeping his permanent home in District G while he resides for three years in District E so this is a temporary relocation due to his work. Supervisor Gabriele wanted to make the Board aware of the situation.

Supervisor King asked all the Board members to get a copy of the Parks and Recreation activities book and pick out one activity to participate in, and see how hard the Parks and Recreation employees work. He thanked the Parks and Recreation Commission for welcoming him as a new liaison member on their board. Mitchell Haugh, Director of Parks and Recreation, has done a wonderful job with the pool this year, has worked very hard, and Supervisor King wanted to say publicly that he appreciates what he does.

Supervisor Biggs expressed her condolences to the family of Joel Donahue, who recently passed away. Mr. Donahue had served on the Planning Commission.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, June 23, 2014 at 6:30 p.m. The meeting adjourned at 8:30 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE DAY OF JUNE 23, 2014 AT 6:30 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 6:15 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brian Hamilton	-Economic Development Director
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by M. Todd King, 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:

Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. 2014-006
2. 2014-017

(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

(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
2. Parks and Recreation Commission
3. Planning Commission

The vote on the foregoing motion was as follows:

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

Supervisor Annette Perkins arrived at 6:15 p.m.

OUT OF CLOSED MEETING

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:

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

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, 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
Mary W. Biggs
Matthew R. Gabriele
Gary D. Creed
Annette S. Perkins
Christopher A. Tuck
M. Todd King
William H. Brown

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATIONS

New River Valley Planning District Commission (PDC)

Kevin Byrd, Executive Director of the New River Valley PDC, explained the purpose of the PDC is to promote regional cooperation, coordinate activities and policies of member local governments and provide planning assistance to local governments. PDC assistance to Montgomery County includes:

▪Completed Safe Routes to School travel plans and grant applications. Moving into project management for Belview Elementary and Auburn Campus;

▪Staff support to NRV HOME Consortium which is likely funder for Prices Fork Elementary School re-use for senior housing;

▪Grant administration and project management for grant to explore local food programs/options for Prices Fork Elementary School re-use;

▪Technical assistance for stormwater management program. PDC staff is training to serve as back-up to local governments, if needed;

▪MPO Bike and Pedestrian Master plan to be finalized in August;

▪Participated with the Appalachian Gateway Communities workshops coordinated through the Montgomery Tourism Development Council;

▪Launched the NRV Mayors and Chairs bi-annual luncheon;

▪Coordinating the Appalachian Spring Initiative outdoor recreation asset development program with Friends of Southwest Virginia.

The Chair thanked Mr. Byrd for updating the Board on PDC activities and added that he had really enjoyed the Mayors and Chairs meetings.

PUBLIC ADDRESS

Coverage gap for affordable access to health care Beth O'Connor, a member of NRV Partnership for Access to Health Care (PATH) addressed the Board about the coverage gap for affordable access to health care in the New River Valley. She explained that PATH is made up of fifty health and human services organizations that serve the New River Valley and has been advocating for improved access to health care for the New River Valley. They are requesting local governments to pass a resolution to "close the coverage gap". According to Ms. O'Connor, there are 6,200 residents of Montgomery County that live below 100% of the federal poverty level who do not qualify for Virginia's current Medicaid program, yet are "too poor" to qualify

for federal subsidies/premium assistance through the Insurance Exchange. She asked that the Board of Supervisors pass a resolution in support of closing the coverage gap utilizing federal tax dollars for uninsured Montgomery County and Virginia citizens.

SUP for 199' telecommunications tower Bill Turner, who lives in the Elliston area, spoke in support of the 199' telecommunications tower, saying that he would rather see a higher tower than several smaller ones, and a higher tower gives better service.

Jeff Geiger, from Verizon, provided a brief recap of the request from the City of Radford for a Special Use Permit to allow a 199' telecommunications tower, and offered to answer questions from the Board.

Tax Relief for the Elderly and Disabled Gail Beaver, a citizen of Montgomery County, asked the Board to amend the County's ordinance to allow the Commissioner of the Revenue to use the previous year's information to determine tax relief if a resident did not submit an application in time for tax relief in the current year.

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

ADDENDUM

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the following Addendum items were added to the Agenda under New Business:

1. Approve Real Estate Sales Agreement to Purchase Property to Construct a New Animal Shelter

2. Support to Close Coverage Gap for Uninsured Montgomery County and Virginia Citizens

The vote on the foregoing motion was as follows:

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 23, 2014 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, , the minutes dated January 13 and January 25, 2014 were approved.

Appropriations and Transfers

A-FY-14-109
SCHOOL OPERATING FUND
FY 14 BUDGET ADJUSTMENT

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 between categories for the School Operating Fund was granted for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

FROM		
630000 Pupil Transportation		($125,000)
640000 Operations and Maintenance		($275,000)
	Total	($400,000)
TO		
650000 Non-instruction		$125,000
670000 Debt Service		$275,000
	Total	$400,000

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

A-FY-14-110
TREASURER
DMV STOP FEES

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:

160	Treasurer Comp Board	$2,412

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

Revenue Account		
411605 DMV Stop Fee		$2,384
416010 Warrant-In-Debt Fees		$ 28
	Total	$2,412

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

A-FY-14-111
TRANSFER FROM FIRE AND RESCUE FUEL CONTINGENCY
TO FIRE AND RESCUE CAPITAL FUND
CHRISTIANSBURG VOLUNTEER FIRE DEPARTMENT

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:

451209	Transfer to County Capital Projects	$4,464

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

520042	Fire and Rescue Fuel Contingency	$4,464

BE IT FURTHER RESOLVED, The County Capital Projects 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:

123301CB	Christiansburg Fire Capital Projects	$4,464

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

451100	Transfer from General Fund	$4,464

Said resolution transfers and appropriates funds from the Fire and Rescue fuel contingency to cover a portion of the cost of fire and rescue equipment.

R-FY-14-164
ADDITION TO VDOT'S SECONDARY SYSTEM OF STATE HIGHWAYS
CROSSCREEK DRIVE (SR 1450)
WALNUT CREEK SUBDIVISION

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

WHEREAS, The street described below is shown on a plat in the Clerk's Office of the Circuit Court of Montgomery County; and

WHEREAS, The representative for the Virginia Department of Transportation has advised the Montgomery County Board of Supervisors that the street meet the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia requests the Virginia Department of Transportation to add the following street to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer:

ADDITION:

Subdivision: **Walnut Creek Subdivision Phases 1 & 2**

Name of Street:	Length
Crosscreek Drive (SR 1460)	
From: Brooklyn Avenue (SR 1454)	
To: Cul de Sac	0.10 miles.
Recordation Reference: Inst. #11005081	
Right of Way width (feet) = 50'	

BE IT FURTHER RESOLVED, The Board guarantees a clear and unrestricted right-of-way of 50 feet, as described, and any necessary easements for cuts, fills, and drainage.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

R-FY-14-165
A RESOLUTION APPROVING THE CONVEYANCE OF AN EASEMENT TO APPALACHIAN POWER COMPANY TO ALLOW PERMANENT UNDERGROUND POWER SERVICE TO THE NEW AUBURN MIDDLE SCHOOL

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

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey Appalachian Power Company an Easement on the Auburn Middle School Campus as shown on the attached sketch entitled "NEW AUBURN HS/NEW AUBURN MS-COMBINED CIVIL DRAWINGS MONTGOMERY COUNTY PUBLIC SCHOOLS UTILITY PLAN – AREA B" dated 3/5/12 in order to provide permanent underground power service to the new Auburn Middle School.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes William H. Brown, Chair, to execute the Easement on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

Appointments

R-FY-14-166
COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)
APPOINT BRIAN HOFF AS REPRESENTATIVE OF A PRIVATE ORGANIZATION OR ASSOCIATION OF PROVIDERS FOR CHILDREN OR FAMILY SERVICES

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 **Brian Hoff** to the **Community Policy and Management Team (CPMT)** as representative of a private organization or association of providers for children or family services, effective July 1, 2014 and expiring June 30, 2016.

R-Y-14-167
APPOINTMENT
COORDINATOR OF EMERGENCY SERVICES

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 approves **Neal Turner's** appointment as the Coordinator of Emergency Management effective June 24, 2014 and expiring December 31, 2014.

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.

OLD BUSINESS

ORD-FY-14-25
ORDINANCE ALLOWING A SPECIAL USE PERMIT FOR THE CITY OF RADFORD (AGENT: VERIZON WIRELESS) FOR THE PURPOSE OF ALLOWING A 199 FT. MONOPOLE TELECOMMUNICATIONS TOWER IN THE RINER MAGISTERIAL DISTRICT (DISTRICT D); IDENTIFIED AS TAX PARCEL NUMBER 102-A 16, 17; ACCOUNT NO. 071097.

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried,

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the request by **the City of Radford (Agent: Verizon Wireless)** for a Special Use Permit (SUP) to allow a 199 ft. monopole telecommunications tower on approximately 100 acres in an Agricultural (A-1) zoning district is consistent with the County's Comprehensive Plan and is hereby **approved** with the following conditions:

1. Tower shall not exceed a total overall height of 199 ft. inclusive of the proposed lightening rod with a maximum ground elevation of 2,032.6 feet. Tower shall not have lighting unless required by the FAA. Tower pole shall have a base diameter not to exceed 8'-0" and a top diameter not to exceed 4'-6".

2. Site development shall be in substantial conformance with the concept plans entitled, "Peterson Drive, 5480 Peterson Drive, Radford, VA 24141", prepared by Clark-Nexen Architecture & Engineering, revised, January 10, 2014 and received by Montgomery County on February 7, 2014 and any site plan submitted by the applicant prior to construction and approved by the County as required by the County Code.

3. Verizon shall access the site using an existing private driveway off State Route F056 (Peterson Drive).

4. Verizon shall construct a 12 ft. wide gravel access road within a 20 ft. wide access easement to the proposed telecommunications tower site.

5. Tower shall be of a "monopole stealth design". Tower shall be painted matte brown (Umbra). All wiring and cables shall be located inside the pole structure until there is no room left inside for the wiring and cables. If wiring and cables must be mounted on the outside of the pole structure, then the wiring shall be painted matte brown (Umbra).

6. Existing site vegetation shall not be cleared beyond the proposed lease area, except for that necessary for construction of an entrance road and utilities.

7. Engineering plans signed and sealed by a licensed engineer in the State of Virginia shall be submitted to and approved by the Building Official prior to the issuance of a building permit.

8. Any satellite dish and microwave dish antennas attached to the telecommunications tower pole shall not exceed six (6) feet in diameter and shall be painted matte brown (umbra) with no logos, but dishes are allowed on the tower pole only as long as there is no fiber optic utility line located adjacent to the property.

9. A landscaping screen of a double row of evergreen trees, six ft. in height at the time of planting, shall be provided around the compound fence to provide screening of the ground equipment from any future development of the 100-acre site by the City of Radford.

10. Tower shall meet all regulations found in Section 10-48(6) of the Montgomery County Zoning Ordinance.

11. Backup generator, if applicable, shall not be fueled by a liquid fuel source.

12. Owner/agent shall provide police, fire and rescue services antenna space on the proposed tower pursuant to a non-transferrable "no-rent" license agreement with the tower owner allowing non-commercial use for emergency communication services at the location for Condition 13 below subject to (i) submittal of an application, (ii) the

structural capacity of the tower, and (iii) provided that emergency service antennae do not provide radio frequency interference to other antennae located upon the tower, together with related ground space. Emergency Service providers shall provide equipment. Tower owner/agent shall install the antennae at market rate.

13. The second highest colocation space on the tower shall be made available to the County. In the event that Montgomery County has not used this space and another cellular carrier wishes to co-locate on the same tower, the tower owner shall give the Montgomery County Administrator fourteen (14) business days' notice by Certified Mail of the other cellular carrier's intent to occupy this location. If the Montgomery County Administrator does not respond within 14 business days of receipt of the notice with an application to occupy such space on the tower, the tower owner may lease such space to the other cellular carrier and, subsequently, the next highest colocation space on the tower shall be made available to the County. The forgoing process may repeat until the County elects to collocate on the tower.

The property is located at **5480 Peterson Drive** and is identified as Tax Parcel No. 102-A 16, 17 (Acct.# 071097) in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

The vote on the forgoing ordinance was as follows:

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

R-FY-14-168
A RESOLUTION APPROVING THE CONVEYANCE OF AN EASEMENT TO ATMOS ENERGY CORPORATION IN ORDER TO ALLOW ATMOS ENERGY TO PROVIDE GAS SERVICE OFF THE GAS LINE SERVING CHRISTIANSBURG MIDDLE SCHOOL

On a motion by Annette S. Perkins, seconded by Gary D. Creed and carried unanimously,

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey Atmos Energy Corporation an Easement pursuant to the terms and conditions approved by the Montgomery County School Board on the Christiansburg Middle School Campus as shown on the attached sketch entitled "PLAT OF GAS LINE EASEMENT RINER MAGISTERIAL DISTRICT TOWN OF CHRISTIANSBURG, MONTGOMERY COUNTY, VIRGINIA" dated 08 APR 14 in order to allow Atmos Energy Corporation provide gas service to the adjoining neighborhood off the gas line located on the Christiansburg Middle School Campus.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes William H. Brown, Chair, to execute the Easement on behalf of the Board of Supervisors of the County of Montgomery, Virginia.

The vote on the forgoing resolution was as follows:

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

NEW BUSINESS

A-FY-15-01
APPROPRIATION OF THE FY 2014-2015 BUDGET

On a motion by Annette S. Perkins, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the following appropriation for the fiscal year ending June 30, 2015 be and the same is hereby made effective July 1, 2014 for the organizations indicated on the attached listing.

BE IT FURTHER RESOLVED, The Director of Financial and Management Services is hereby authorized to make the necessary transfers between funds as required to keep expenditure account appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by Fund.

BE IT FURTHER RESOLVED, The Treasurer is hereby authorized to make the necessary wire transfer, as appropriate.

EXPENDITURE ACCOUNTS
TO BE APPROPRIATED

1. 02 GENERAL FUND

100	Board of Supervisors	$	253,284
110	County Administration		1,527,171
120	County Attorney		261,454
130	Financial and Management Services		1,043,609
132	Insurance		353,962
140	Information Technology		1,427,502
150	Commissioner of Revenue		562,174
152	Assessment - 100% County		368,411
160	Treasurer		599,395
162	Collections - 100% County		306,372
170	Registrar		417,150
180	Internal Services		251,416
200	Commonwealth Attorney		1,018,244
210	Circuit Court		172,416
220	General District Court		21,711
230	Juvenile and Domestic Relations Court		20,524

	240	Magistrate		5,000
	250	Circuit Court Clerk - 100% County		689,130
	310	Sheriff-Co/State Support		7,121,072
	320	Sheriff-County Support		6,710,613
	330	Fire and Rescue		1,362,391
	400	General Services		5,306,086
	510	Comprehensive Services Act		1,651,969
	520	Human Services		398,471
	530	Public Health		493,266
	540	Social Services		5,331,880
	700	Parks and Recreation		985,068
	710	Regional Library		1,854,740
	800	Planning and GIS		640,222
	810	Economic Development		372,083
	900	Revenue Refunds		175,000
	910	Other Agencies		1,636,002
	950	General Contingencies		424,000
	960	Contingencies - Special		96,605
	990	Adjustments for Internal Services		(91,700)
		TOTAL GENERAL FUND	**$**	**43,766,693**
2.	**03**	**LAW LIBRARY FUND**		
	03	Law Library	**$**	**17,600**
3.	**09**	**SCHOOL OPERATING FUND**		
	610	Instruction		74,919,211
	620	Administration, Attendance, and Health		4,033,759
	630	Pupil Transportation		4,482,307
	640	Operations and Maintenance		13,602,524
	650	Other Non-Instructional Operations		10,519
		TOTAL SCHOOL OPERATING FUND	**$**	**97,048,320**
4.	**11**	**SCHOOL CAFETERIA FUND**	**$**	**4,286,867**
5.	**12**	**COUNTY CAPITAL FUND**	**$**	**700,000**
6.	**18**	**DEBT SERVICE FUND**	**$**	**24,223,859**
7.	**19**	**SCHOOL CAPITAL FUND**	**$**	**1,400,000**
		GRAND TOTAL EXPENDITURES	**$**	**171,443,339**

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

ESTIMATED RESOURCES

1. GENERAL FUND

A.	REVENUE		
	General Property Taxes	$	83,998,643
	Other Local Taxes		12,392,542
	Other Undesignated Revenue		696,784
	Resources Designated by Department		12,674,870
	Subtotal	**$**	**109,762,839**

	B.	OTHER		
		Transfers to School Operating Fund:		(42,080,379)
		Transfers to Debt Service Fund		(21,815,767)
		Transfers to County Capital Fund		(700,000)
		Transfers to School Capital Fund		(1,400,000)
		Subtotal	**$**	**(65,996,146)**
		TOTAL GENERAL FUND RESOURCES:	**$**	**43,766,693**
2.	**LAW LIBRARY FUND**			
	A.	REVENUE	$	15,000
	B.	USE OF FUND BALANCE		2,600
	TOTAL LAW LIBRARY FUND RESOURCES		**$**	**17,600**
3.	**SCHOOL OPERATING FUND**			
	A.	REVENUE	$	54,967,941
	B.	FUND BALANCE		0
	C.	TRANSFER FROM GENERAL FUND		42,080,379
	TOTAL SCHOOL OPERATING FUND		**$**	**97,048,320**
4.	**SCHOOL CAFETERIA FUND RESOURCES**		**$**	**4,286,867**
5.	**COUNTY CAPITAL FUND RESOURCES**		**$**	**700,000**
6.	**DEBT SERVICE FUND**			
	A.	INTEREST REVENUE	$	1,497,247
	B.	ENERGY BOND RECOVERED COSTS		347,700
	C.	COURTHOUSE MAINTENANCE FEES		79,982
	D.	FUND BALANCE		175,000
	E.	RENTAL INCOME		93,236
	F.	TRANSFER FROM SCHOOL CAPITAL		214,927
	G.	TRANSFER FROM GENERAL FUND		21,815,767
7.	**TOTAL DEBT SERVICE FUND**		**$**	**24,223,859**
8.	**SCHOOL CAPITAL FUND**		**$**	**1,400,000**
GRAND TOTAL ALL RESOURCES			**$**	**171,443,339**

The vote on the foregoing resolution was as follows:

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

R-FY-14-169
RESOLUTION RECOMMENDING RELOCATION OF VDOT'S PARK AND RIDE LOT AT I-81 EXIT 118A ADJOINING FALLING BRANCH ELEMENTARY SCHOOL TO ROANOKE STREET ADJOINING THE US 460 BYPASS

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

WHEREAS, The Board of Supervisors of Montgomery County, Virginia has studied the need to relocate the Virginia Department of Transportation (VDoT) Park and Ride lot adjoining the Falling Branch Elementary School property at I-81 Exit 118A in Montgomery County and has determined that it is appropriate that the Park and Ride lot be relocated; and

WHEREAS, VDoT has proposed to relocate the Park and Ride lot to property on Roanoke Street adjoining the US 460 Bypass (Tax Parcels 529-(2) – 2-9 and 73-80; Parcel ID 020750 and Tax Parcels 529–(2)–B, 1A, 81; Parcel ID 013265) in Christiansburg; and

WHEREAS, The Board of Supervisors of Montgomery County has found that the public necessity, convenience, and general welfare permit the relocation of the Park and Ride lot to Roanoke Street adjoining the US 460 Bypass.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County recommends the relocation of the Park and Ride lot at I-81 Exit 118A adjoining the Falling Branch Elementary School property to Roanoke Street adjoining the US 460 Bypass.

The vote on the forgoing resolution was as follows:

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

R-FY-14-170
SHAWSVILLE VOLUNTEER RESCUE SQUAD
50TH ANNIVERSARY

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

WHEREAS, On July 4, 1964 a group of local citizens called a meeting to discuss the need for a volunteer rescue squad in their community and formed the Alleghany District Rescue Squad, which later changed to the ***Shawsville Volunteer Rescue Squad***; and

WHEREAS, The ***Shawsville Rescue Squad*** currently has 31 volunteer members and serves 88 square miles of Montgomery County; and

WHEREAS, On July 4, 2014, the ***Shawsville Rescue Squad*** will celebrate its 50th Anniversary; and

WHEREAS, Fifty years of service has been given by the dedicated men and women who offer their time and talents on a volunteer basis to aid their fellow citizens of Montgomery County in emergency situations; and

WHEREAS, The citizens of our community benefit from the knowledge, skills, and dedication of these volunteer rescue squad members, where they can at any time, be called on to sacrifice their lives in the performance of their lifesaving duties.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia does hereby commend and congratulate the ***Shawsville Rescue Squad*** upon reaching its 50th Anniversary.

BE IT FURTHER RESOLVED, The Board of Supervisors, on behalf of the citizens of Montgomery County, expresses its gratitude and appreciation to the volunteers of the ***Shawsville Rescue Squad*** for their outstanding public service and dedication to the citizens of Montgomery County.

The vote on the forgoing resolution was as follows:

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

R-FY-14-171
A RESOLUTION APPROVING THE REAL ESTATE SALES AGREEMENT BY AND BETWEEN GEORGIA ANNE SNYDER-FALKINGHAM AND THE COUNTY OF MONTGOMERY FOR THE PURCHASE OF TAX MAP PARCEL NO. 067-A 161A AS THE LOCATION TO CONSTRUCT THE NEW COUNTY ANIMAL SHELTER

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Real Estate Sales Agreement between the County of Montgomery and Georgia Anne Snyder-Falkingham, dated June 19, 2014, for the purchase by the County of Tax Map Number Parcel 067-A 161A as the location to construct the new County Animal Shelter; and

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Chair, William H.

Brown, to execute the Real Estate Sales Agreement and the Deed accepting the Property on behalf of the County of Montgomery, Virginia and execute any other documents required to close the transaction.

The vote on the foregoing resolution was as follows:

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

Supervisor Chris Tuck explained that he voted no on the above resolution not because he doesn't believe a new animal shelter is needed; he voted no because he believes we are paying too much for this piece of real estate. He believes it can be done through other means.

R-FY-14-172
A RESOLUTION SUPPORTING CLOSING THE COVERAGE GAP FOR UNINSURED MONTGOMERY COUNTY AND VIRGINIA CITIZENS UTILIZING AFFORDABLE CARE ACT (ACA) FEDERAL TAX DOLLARS

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

WHEREAS, A healthy workforce and community are critical to the economic vitality of the Montgomery County community; and

WHEREAS, Nearly one million Virginians under the age of 64 are uninsured, many of whom are in families with at least one full- or part-time worker who are not provided health insurance coverage through their employers, cannot afford coverage on their own or do not make enough to qualify for premium assistance in the federal health care exchange; and

WHEREAS, These uninsured Virginians receive care which is subsidized by employed Virginians through higher insurance premiums with providers charging more to the insured for their own health care and underwriting of uninsured health care by providers; and

WHEREAS, This cost shifting will continue to rise faster than inflation if the Commonwealth does not address ensuring more Virginians have access to affordable health care coverage; and

WHEREAS, Reforms in Virginia's current Medicaid program have been completed or are in process; and

WHEREAS, Through 2022, Virginians will send $26 billion to Washington, D.C., through mandatory federal Affordable Care Act- related taxes, fees, and provider payment cuts to pay for uninsured medical coverage in other states; and

WHEREAS, The Commonwealth has a responsibility to recoup these funds to help its own citizens including the citizens of Montgomery County by developing a financially sound plan that will ensure Virginia's health care delivery system will have the resources needed to provide quality services to its community; and

WHEREAS, The Commonwealth has a further responsibility to the 400,000 uninsured Virginians, including the 6,200 living in Montgomery County who would not be insured under the Affordable Care Act.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby resolves that it supports closing the coverage gap utilizing federal tax dollars for uninsured Montgomery County and Virginia citizens.

The vote on the foregoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

FY 2015 Budget Estimates The Compensation Board notified localities by e-mail this afternoon that there is a link on their web site to provide each locality an estimate of reimbursable expenses to be fixed for the upcoming fiscal year and information regarding the development of the estimated fund amounts provided. The e-mail has been forwarded to BoS members.

National Awards to Montgomery County The County Administrator received notification that Montgomery County has won two (2) national awards through the National Association of Counties information offices. The first one is an award for our annual report video that was done last year, which was awarded 1st place in the category of annual reports. Although not first place, the other award was a superior award for our graphic design for this year's broomin' and bloomin' program. The County Administrator congratulate the Public Information office for its good work.

No Work Session The BoS will not have a work session on July 7th prior to the PSA meeting. Several folks will be traveling on July 7th so there won't be a work session, and there may not be a PSA meeting.

BOARD MEMBERS' REPORTS

Supervisor King There are still issues with the dirt glue on Old Sourwood Road. The residents along Old Sourwood Road are planning to have a meeting to discuss the issues and will notify Supervisor King when a date is confirmed. He invited the County Administrator and the Chair to attend the meeting with him.

Supervisor Perkins Attended the Fairview District Home Board meeting last week. Upon her arrival she looked at the folks that live there and realized that the people there would have no place to go if we didn't have that home. The rooms are comfortable and the people are happy and well cared for. The next time Fairview Home comes up for funds, she will listen very carefully because she was taken aback by how well these people were cared for, and knowing this is one really good thing that we do for people with just a little tax money. She didn't know this until she was appointed to the Fairview District Home Board, but there is an awful lot of good out there that is being done for people with some of our tax money.

Supervisor Biggs shared her excitement about the Board's vote to purchase land for the animal shelter and moving forward with the project.

Supervisor Biggs will be on vacation the week of July 14th.

Supervisor Biggs shared information about a study that was done about fire and rescue personnel in the age group between 25 and 58, if their jobs were stressful and does it come into play with any kind of heart problems. Further testing in the study showed 50% of the people had heart disease, which lead to discussions about what can be done for people in these types of jobs. They eat on the run, they work long hours, they're always on duty and that adds up to a lot of stress. She doesn't know if there is anything that can be done about it, but she wanted to bring it to the Board's attention that this may apply to some of Montgomery County's fire/rescue/sheriff personnel.

Supervisor Tuck explained why he had missed the last Board meeting. He was chaperoning Christiansburg High School students on a trip to New York City. On the way back their bus broke down and they ended up at a truck stop for three hours while waiting for another bus to arrive.

Supervisor Tuck thanked the State for stepping up and resolving the park and ride issue. The park and ride is a VDoT issue, and they could have put it off, but they stepped up from both sides of the aisle, and for that he is thankful.

Supervisor Tuck had the opportunity to attend Joel Donahue's funeral. He found that Mr. Donahue was a complicated person, that sometimes he was a difficult fellow to get along with, and at the same time he was such a giving person. He volunteered time to do taxes for the elderly, helped foreign exchange students to adapt here in our country, and was always ready to step up and help someone in need. Supervisor Tuck asked that the Board adopt a resolution acknowledging Joel Donahue's contribution as a member of the Montgomery County Planning Commission.

Supervisor Gabriele reported that he will be out of town when the next Montgomery Regional Economic Development Commission meeting comes up. Discussions will include the trouble they had over the summer with quorums for their meetings, and the need to amend their bylaws to adopt provisions for alternates. He wanted the Board to be aware that sometime in the future they may want to appoint an alternate for that position in the event someone cannot attend a meeting.

Supervisor Brown thanked Supervisor Tuck for his comments about Joel Donahue and for attending Mr. Donahue's funeral service.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, July 14, 2014 at 6:00 p.m. The meeting adjourned at 8:50 p.m.

APPROVED_____ ATTEST:_____

William H. Brown
Chair

F. Craig Meadows
County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14TH DAY OF JULY, 2014 AT 6:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-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
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Mary W. Biggs	-Vice Chair

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Christopher A. Tuck, seconded by Annette S. Perkins 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 (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. Board of Zoning Appeals (BZA)
2. Montgomery Tourism Development Council
3. NRV Community Service Board
4. Virginia Tech/Montgomery Regional Airport Authority

(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. Old Blacksburg Middle School Property

The vote on the forgoing motion was as follows:

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

CERTIFICATION OF CLOSED MEETING

On a motion by Matthew R. Gabriele, 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
Annette S. Perkins
Christopher A. Tuck
Matthew R. Gabriele
Gary D. Creed
M. Todd King
William H. Brown

NAYS
None

ABSENT DURING VOTE
Mary W. Biggs

ABSENT DURING MEETING
Mary W. Biggs

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATION

Virginia Department of Transportation
David Clarke, VDOT Residency Administrator, updated the Board on road issues/projects in Montgomery County. Mr. Clarke reported that VDOT has been working on general maintenance in the County, such as road patching, brush cutting, and grading/dirt control on gravel roads. He provided an update on the following projects:

- Park and Ride Lot: VDOT is working on the temporary lot for the relocation of the Park and Ride. The new lot is at the corner of Roanoke Road and the 460 Bypass.
- North Fork Road (SR 603) project is underway. VDOT is in the process of preliminary clearing of brush, etc. This project is expected to take several years to complete.
- Blue Springs Road: A ½ mile section of this road will be paved under the Revenue Sharing Program. The paving project should start soon.
- Mt. Pleasant Road Bridge Replacement: The contract has been awarded with a completion date of May 2015.
- Lick Run Road Box Culvert and Bridge Replacement:

Supervisor Creed requested a daily traffic count be done on Craigs Mountain Road (SR 674). He also requested an update on the Mt. Pleasant Road project to be done with Revenue Sharing funds. Mr. Clarke replied that there is not an estimated beginning date for this project. He explained there were numerous road projects underway at the moment and not enough staff to start on any new ones on the list. Supervisor Creed stated there are a number of road projects that the Board approved to be reconstructed/upgraded with revenue sharing funding in limbo. He believes that the Board should not allocate any additional funding for revenue sharing until the backlog of projects can be completed. He does not understand why VDOT can't finish projects in a timely manner.

Supervisor King requested an update on the flooding issue at the low-water bridge on Fairview Church Road. Mr. Clarke replied he will get VDOT staff to check for any blocked culverts.

The County Administrator expressed his appreciation to VDOT for meeting with county staff and Supervisor Biggs regarding issues with the National Forest Road.

PUBLIC ADDRESS

Paul Smeal spoke in support of the County's Parks and Recreation Department. Mr. Smeal praised the Parks and Recreation Department who continues to provide wonderful programs to the citizens of the County. He also pointed out that there continues to be a need for gym space and athletic fields to help serve the youth athletic programs. Mr. Smeal supports any increase in funding for the Parks and Recreation Department.

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

CONSENT AGENDA

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele and carried unanimously, the Consent Agenda dated July 14, 2014 was approved. The vote was as follows:

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

A-FY-15-02
FLOYD LIBRARY
FY 15 BUDGET APPROPRIATION

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015 for the function and in the amount as follows:

720	Floyd Library	$63,509

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

Revenue Account	
415211 Sale of Copies	$ 5,000
416156 Floyd County Reimbursement	$ 8,159
416157 Town of Floyd Contribution	$ 3,000
416151 Fines and Fees	$12,000
424409 State Library Grant	$35,350
Total	$63,509

Said resolution appropriates operating funds for the Floyd Library for FY 15.

A-FY-15-03
PARKS AND RECREATION
RECOVERED COSTS

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015 for the function and in the amount as follows:

700	Parks and Recreation	$3,410

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

Revenue Account		
451205	Designated Fund Balance	$3,410

Said resolution appropriates funds received from the sale of surplus property for use by the Parks and Recreation Department.

A-FY-15-04
VICTIM WITNESS GRANT
FY 15 GRANT FUNDING

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

BE IT RESOLVED, By the Montgomery County Board of Supervisors 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:

551	Victim Witness Grant	$140,985

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

Revenue Account		
25512-424401	Victim Witness Grant	$140,985

Said resolution appropriates the Victim Witness Grant funds for FY 15.

A-FY-15-05
REASSESSMENT
CARRYOVER FUNDING

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015, for the function and in the amount as follows:

153	Reassessment	$24,531

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

Revenue Account		
451205	Designated Fund Balance	$24,531

Said resolution appropriates funds remaining at June 30, 2014 to cover the cost of the Reassessment.

A-FY-15-06
NEW RIVER VALLEY EMERGENCY
COMMUNICATIONS REGIONAL AUTHORITY

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015, for the function and in the amount as follows:

110	NRV Emergency Communications Regional Authority	$317,547

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

Revenue Account		
419108	Recovered Costs	$317,547

Said resolution appropriates funds necessary to cover the costs associated with the NRV Emergency Communications Regional Authority.

A-FY-15-07
COUNTY DESIGNATED FUNDS
YEAR-END CARRYOVER

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015 for the function and in the amount as follows:

110	County Administration	$ 16,031
200	Commonwealth Attorney	$ 40,271
250	Clerk of Court	$ 603
320	Sheriff –County Range	$ 72,479
321	Sheriff -Asset Forfeiture	$ 72,872
520	RSVP	$ 17,191
700	Parks and Recreation	$ 10,936
710	Library	$ 44,147
720	Floyd Library	$ 34,034
800	Planning and GIS	$ 19,627
	Conservation Easements	$ 50,538
900	Special Projects	$ 21,635
	Total	$400,364

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

Revenue Account	
451205 Designated Fund Balance	$400,364

Said resolution re-appropriates FY 14 designated funds for donations, fundraising, scholarships, conservation easements, federal forfeited assets, VDOT revenue sharing funds, and other funds designated for specific purposes that were not expended by year-end.

A-FY-15-08
RE-APPROPRIATION OF
COUNTY ENCUMBRANCES

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015, for the function and in the amount as follows:

100	Board of Supervisors	$ 3,500
110	County Administration	15,519
111	Emergency Services Grants	74,761

130	Financial and Management Services	12,510
140	Information Technology	221,892
152	Assessment	7,335
153	Reassessment	228,447
180	Internal Services	6,420
200	Commonwealth Attorney	49,769
320	Sheriff – County	34,397
321	Sheriff's Grants	3,509
400	General Services	23,499
420	Engineering and Regulatory Compliance	165,036
540	Social Services	17,018
710	Library	44,242
720	Floyd Library	8,364
800	Planning and GIS	22,631
810	Planning Grants	8,700
	Total	$947,549

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

Revenue Account		
451205	Designated General Fund Balance	$947,549

Said resolution re-appropriates monies supporting the balances of outstanding purchase orders as of June 30, 2014.

A-FY-15-09
RE-APPROPRIATION OF
COUNTY CAPITAL PROJECTS ENCUMBRANCES

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects 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:

100	Government Center	$ 200
320	Public Safety Building	$3,283,941
330	Fire and Rescue	$1,027,573
700	Parks and Recreation	$ 23,740
	Total	$4,335,454

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

Revenue Account		
451205	Designated County Capital Projects Fund Balance	$4,335,454

Said resolution re-appropriates monies supporting purchase orders that are open in the County Capital Projects fund as of June 30, 2014.

A-FY-15-10
RE-APPROPRIATION OF
COUNTY CIP PROJECTS

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the County Capital Projects 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:

110	Government Center		$585,792
	Courthouse Renovation		$111,975
142	Munis Document Management		$2,975
320	Public Safety Building		$1,728,775
400	Animal Control		$1,033,187
	Elliston Bridge		$22,036
	Consolidated Sites		$122,499
700	Motor Mile Park		$8,535
	Park Revitalization		$59,379
800	GIS		$24,032
	Topo Maps		$22,544
900	Future Projects		$2,000,000
		Total	$5,721,729

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

Revenue Accounts:
451205 Designated County Capital Projects Fund Balance $5,721,729

Said resolution re-appropriates remaining account balances of CIP projects.

A-FY-15-11
RE-APPROPRIATION OF
SCHOOL CIP PROJECTS

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

BE IT RESOLVED, That the School Capital Projects Fund was granted an appropriation in addition to the annual appropriation for fiscal year ending June 30, 2015 for the function and in the amount as follow:

600	Capital Projects Fund - Schools	$19,615,234

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

Revenue Account		
451204	Capital Projects Fund Balance	$19,615,234

Said resolution re-appropriates remaining account balances of School CIP projects. These balances exclude encumbrances which will be re-appropriated through a second resolution.

A-FY-15-12
RE-APPROPRIATION OF
FIRE AND RESCUE PROJECTS

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015, for the function and in the amount as follows:

330	Fire and Rescue	$64,000

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

Revenue Account		
451203	Designated Fund Balance	$64,000

Said resolution appropriates funds remaining at year end for use by Fire and Rescue Departments in FY 15.

A-FY-15-13
RE-APPROPRIATION OF GRANTS

On a motion by Annette S. Perkins, seconded by Matthew R. Gabriele 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, 2015, for the function and in the amount as follows:

111	Emergency Services Grants	$36,444
143	Customer Premises Equipment Grants	$35,890
201	Domestic Violence Victim Fund	$16,346
251	Record Preservation	$340
	Technology Trust Fund	$25,046

321	Selective Traffic Enforcement	
	Alcohol	$6,508
	Occupant Protection	$2,040
	Speed	$2,601
	Speed – Shared with Roanoke County	$2,248
	DARE Program	$1,726
	Project Lifesaver	$3,076
	Asset Forfeiture Grant	$1,847
710	Library Gates Grant	$40,966
721	Floyd Library Gates Grant	$12,602
800	Public Safety Answering Point	$78,143
	Technical Assistance Grant	$176
911	Huckleberry Trail VDOT Grant – Christiansburg	$578,000
	Total	$843,999

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

Revenue:		
02111-424401 FRAQ	State Grants	$29,730
21111 434401 RADIO	Federal Grants	$6,714
21432-424401	VITA State Grants	$35,890
02201-424401	Domestic Violence Victim Fund	$16,346
22511-424401	Record Preservation	$340
02251 423100	Technology Trust	$25,046
23212 424401	Selective Enforcement	$13,397
28016 424401	PSAP State Grant	$78,143
28016 424402	TAG Federal Grant	$176
29113HT 434401	Huckleberry Trail	$578,000
02-451205	Designated Fund Balance	$60,217
	Total	$843,999

Said resolution re-appropriates available account balances of grants as of June 30, 2014.

R-FY-15-01
LINE OF DUTY RESERVE FUND

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

WHEREAS, The state previously covered the cost of line of duty benefits; and

WHEREAS, The state decided it would now be the responsibility of the locality to pay for these expenses starting in fiscal year 2012; and

WHEREAS, The Board of Supervisors established a Line of Duty Reserve in FY 12; and

WHEREAS, $55,330 in additional dollars can be added to the fund from the FY 14 line of duty balance;

NOW THEREFORE BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Line of Duty Reserve Fund be increased by $55,330 to pay for future line of duty program costs for a total balance of $96,923.

R-FY-15-02
APPOINTMENT
PARKS AND RECREATION COMMISSION
HOWARD E. EAVES, SR.

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Howard E. Eaves, Sr.**, who resides in District E, to the **Parks and Recreation Commission** effective July 15, 2014 and expiring July 14, 2017.

R-FY-15-03
APPOINTMENT
PLANNING COMMISSION
STEPHEN HOWARD

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **William Stephen Howard** to the **Montgomery County Planning Commission** effective July 15, 2014 and expiring July 14, 2018.

R-FY-15-04
APPOINTMENT
PLANNING COMMISSION
ROBERT K. MILLER

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Robert K. Miller** to the **Montgomery County Planning Commission** effective July 15, 2014 and expiring July 14, 2018.

NEW BUSINESS

R-FY-15-05
RESOLUTION OF COMMEMORATION-
JOEL A. DONAHUE

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The recent death of ***Joel A. Donahue*** has touched and saddened all those who knew him; and

WHEREAS, Joel A. Donahue was a professional engineer for 39 years, and lived and worked in Montgomery County for the past 22 years; and

WHEREAS, ***Joel A. Donahue*** served as a member of the Adjustment and Appeals Board from June 2007 to June 2014; and

WHEREAS, ***Joel A. Donahue*** served on the Montgomery County Planning Commission from June 2010 to June 2014.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby express its deepest condolences and heartfelt sympathy to the friends and loved ones of ***Joel A. Donahue.***

BE IT FURTHER RESOLVED, That the original of this resolution be presented to the family of ***Joel A. Donahue*** and that a copy be made a part of the official minutes of Montgomery County.

The vote on the forgoing resolution was as follows:

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

BOARD MEMBERS' REPORTS

Supervisor Tuck reported that Judge James Turk passed away on July 6, 2014. Supervisor Tuck stated it was an honor knowing and working with Judge Turk.

Supervisor Gabriele requested an update on implementing paid maternity/paternity leave for county employees. He asked that this item be placed on the August 11, 2014 meeting agenda as he will be out of town the week of the next meeting scheduled for July 28, 2014.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, July 28, 2014 at 6:00 p.m. The meeting adjourned at 7:50 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator