AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 12TH DAY OF NOVEMBER, 2014 AT 6:45 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Annette S. Perkins	
	Christopher A. Tuck	
	M. Todd King	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Ruth Richey	-Public Information Officer
	Mitchell Haugh	-Director of Parks and Recreation
	Vickie Swinney	-Secretary, Board of Supervisors
ABSENT:	Matthew R. Gabriele	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

ADD TO AGENDA-ADDENDUM

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried unanimously, the following Addendum was added to the Agenda under Closed Meeting:

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

1. Former Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

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

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by M. Todd King 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. Human Relations Council
2. Planning District Commission

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

1. Former Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

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

OUT OF CLOSED MEETING

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

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session. The vote was as follows:

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

CERTIFICATION OF CLOSED MEETING

On a motion by Christopher A. Tuck, 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

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

NAYS
None

ABSENT DURING VOTE
Matthew R. Gabriele

ABSENT DURING MEETING
Matthew R. Gabriele

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATIONS

Virginia Department of Transportation VDoT's Residency Administrator was unable to attend the meeting to provide an update on road projects/issues in Montgomery County. The Chair asked that Board members forward any questions or issues to the County Administrator who will forward to VDoT's Residency Administrator.

PUBLIC HEARING

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

The County Attorney explained that Appalachian Power Company's (APCo) request is for a 10' strip along the back lots from 830 to 870 Crestwood Drive and across to the south side of Nik Ryan Drive in Blacksburg. APCo is in the process of removing 4-spans of existing ovehead line and placing the line underground, but due to the large amount of trees, brush, rock, etc. it would be best to install on the County's side of the property. The request was partially generated by Ms. Anne Groves and the fact that when this line gets knocked out it also takes out the Shelor Subdivision. It would also give the County access to the underground power if service was ever needed for this property.

There being no speakers either for or against APCo's request, the public hearing was closed.

INTO WORK SESSION

On a motion by Christopher A. Tuck, 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. Parks and Recreation Master Plan
2. Sheriff-Funding for Remote Access Software and Mobile Data Terminals
3. Resolution-Mountain Valley Pipeline

The vote on the foregoing motion was as follows:

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

Parks and Recreation Master Plan

The County Administrator introduced Kevin Byrd, Executive Director of the NRV Planning District Commission. The PDC recently completed a parks and recreation master plan for the Town of Christiansburg, and has discussed a similar undertaking for the County. Mr. Byrd provided a brief overview explaining that the PDC uses the Appalachian Regional Commission (ARC) program for government members of the PDC. It would be a 50% matching project to update Montgomery County's Parks and Recreation Master Plan with the ARC providing 50% of the cost. This would include working closely with county staff and the Parks and Recreation Commission, and also provide an opportunity for the public to engage in the process and provide feedback.

Supervisor Tuck asked Mr. Byrd to explain why this would be better than having county staff do a survey and report back to the Board, and using the money that would have been paid for the PDC update to build the ball fields or help build a playground. Mr. Byrd responded that if there are requests for either land acquisitions or increased programs or increased staffing, this validates why there are decisions to be made. So evaluating the facilities, the programs we are offering the community, find out if there is redundancy or if there is a lack of a program that should be out there, and then if you have additional staffing needs. It helps in evaluating where to invest either in capital improvement programs or if it's staffing.

The Chair commented that he appreciated another pair of eyes looking at the project, that it's almost like an outside evaluation of your programs. Supervisor Mary Biggs added that one reason for not doing this in-house is because after taking care of their day-to-day responsibilities staff would have no time for this added responsibility. The Chair pointed out that since he has been a member of the Board of Supervisors, the Board has been asking employees to do more for less, and the rubber band is being stretched too tight. Supervisor Gary Creed pointed out that if employees have to be pulled off of something else in order to get a study done, it would take three or four times longer and cost double the amount. He feels like we are going to be getting our money's worth if we have to pay only half the cost if the PDC does the study. Supervisor Annette Perkins said that she knows the PDC will do a good job at a small cost.

Sheriff-Funding for Remote Access Software and Mobile Data Terminals

Deputy County Administrator Carol Edmonds reminded everyone that at the last meeting there was discussion about the in-car cameras and the body cameras, and what the Sheriff had come up with was a package that would put the cameras in the cars and with that also came the body cameras for 40 of the deputies associated with the in-car cameras, the body cameras were free if you bought the in-car cameras. In addition to that, there were body cameras for SRA's and some of the investigators. At the last work session the request was made back to the Sheriff's Office to come up with the cost to provide body cameras for additional deputies. At the last meeting the Board discussed the credit from the regional jail offsetting the largest portion of this cost and so additional funds in order to provide the 52 body cameras and the 40 in-car cameras was $12,450.00 and the Board approved that resolution at the last meeting. The Sheriff's funding requests were summarized as follows:

In Car and Body Cameras

Costs	242,450
Estimated $'s due to Jail Credit	**(230,000)**
Balance Due	12,450

(This resolution was adopted at the October 27, 2014 meeting)

Additional Body Cameras

Previously Funded	✓	Added Cameras	
Patrol	40	Civil and Court Security	27
SRO's	5	Jail	30
Investigations	7	Field Division	5
		Investigations	3
		Administration	5
Total	52		70

The cost of the additional 70 body cameras is $28,280

Remote Access Software

•Patrol Scout Live Package allows for on-demand access to the vehicle cameras for remote viewing.

•The cost for the software and connections for 40 vehicles including training is quoted at $38,409.

•Funding for this item can be on a future agenda, if the Board chooses to provide funding.

Mobile Data Terminals

•There are currently 41 MDTs, of which 19, or 46% are 6 years old. A number of these are not stable and continuously cause problems.

•Funding for a replacement schedule needs to be incorporated in the operating budget.

•Given the age and condition of some of the machines, $40,000 would allow the replacement process to begin by replacing 8-9 machines now with the intent that funding for future replacements be incorporated in the FY 16 budget. Machines are approximately $4,500 each.

•Funding for this item can be on a future agenda if the Board chooses to provide funding.

Cost Summary

Added Body Cameras	28,280
Patrol Scout	38,409
MDT's	40,000
Total	106,689

Summary

Unallocated Balance	3,630,371
School Carrryforward ✓	**(1,779,337)**
County Pay Supplement ✓	**(339,000)**
Fire and Rescue Capital ✓	**(64,076)**
Board of Equalization ✓	**(45,000)**
Economic Development ✓	**(30,224)**
Additional costs for cameras ✓	**(12,450)**
Total	**(2,270,087)**
Remaining Balance	1,360,284
Revenue Sharing Roads	**(450,000)**
County Carryforward Request*	**(325,000)**
Added Body Cameras	**(28,280)**
Patrol Scout	**(38,408)**
MDT's	**(40,000)**
Total	**(881,689)**
Remaining Balance	478,595

The Sheriff was present to answer questions from the Board. The Deputy County Administrator asked for direction from the Board on how they wished to move forward, whether they wanted to have the three items (added body cameras, patrol scout, and MDT's) listed in a resolution on the Board's next agenda, or deal with them at this meeting.

The Chair reminded the Board that a resolution cannot be voted on during a work session, but the Board can give consensus to move forward with preparing a resolution for the Board's next agenda. Staff confirmed that a resolution would be prepared that appropriates the funds for all three items and listed on the November 24, 2014 agenda for the Board's consideration.

Resolution-Mountain Valley Pipeline

The County Administrator directed the Board's attention to the draft resolution on the agenda under New Business concerning the MVP project, which is listed on the work session to give the Board an opportunity to discuss it and determine if they want to move forward with the resolution listed under New Business. The County Administrator is aware that there have been several other suggestions made to the content of the resolution and the purpose of this work session is for the Board to discuss and determine if they wish to adopt a resolution, and if so, how they wish to have it worded.

Supervisor Chris Tuck announced that he was one of the Board members who asked for the alternate resolution. He explained that the alternate resolution includes an additional paragraph that says "If the Mountain Valley Pipeline were to re-route the proposed gas pipeline away from residential communities to areas that are unpopulated and not containing residences, the Board of Supervisors may reconsider opposing the construction of the pipeline". His reason for that being that if the Federal Energy Regulatory Commission (FERC) says this pipeline is coming through, this pipeline is coming through, and if we close the door and say we don't even want this pipeline, and we're not going to talk to you any more about it, he is afraid that is a step the Board should not take. Adding the additional wording in the resolution, if the pipeline company is willing to say they are willing to avoid Brush Mountain Estates and Preston Forest and maybe run in a more rural section, it says that we may reconsider it, which he believes keeps the door open and allows for communication. Following a lengthy and in-depth discussion there was consensus that the Board would consider action on this matter under New Business

OUT OF WORK SESSION

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

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

The vote on the foregoing motion was as follows:

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

The Chair called a 25 minute recess at 9:00 p.m.

The Board reconvened at 9:25 p.m.

CONSENT AGENDA

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated November 12, 2014 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the Minutes dated May 27, June 2, June 9, June 23, and July 14, 2014 were approved.

Appointments

R-FY-15-41
APPOINTMENT
NEW RIVER VALLEY COMMUNITY SERVICES BOARD

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Susan Q. Richardson** to the **New River Valley Community Services Board** effective November 13, 2014 and expiring June 30, 2016.

Said appointment fills the unexpired term of Ann Giles, resigned.

R-FY-15-42
WESTERN VIRGINIA
REGIONAL JAIL AUTHORITY
APPOINTMENTS FOR 2015

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints/reappoints the following individuals to the Western Virginia Regional Jail Authority effective January 1, 2015 and expiring December 31, 2015:

Sheriff Tommy Whitt	Chief Deputy Robert L. Hall (alternate)
William H. Brown, Board of Supervisors	Gary D. Creed (alternate)
F. Craig Meadows, Staff Member	L. Carol Edmonds (alternate)

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 appointment as a representative of Montgomery County.

BE IT FURTHER RESOLVED, That 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.

BE IT FURTHER RESOLVED, That all annual appointments to the Western Virginia Regional Jail Authority shall be made by the Board of Supervisors prior to January 1 of the effective year.

NEW BUSINESS

Resolution in Opposition of the Mountain Valley Pipeline Proposed Route

Supervisor Mary Biggs made a motion to approve the resolution opposing the Mountain Valley Pipeline as listed on the agenda, which does not include "Whereas, if Mountain Valley Pipeline were to reroute the proposed gas pipeline away from the residential communities to areas that are unpopulated not containing residences the Board of Supervisors may reconsider opposing the construction of the pipeline". The motion died for lack of a second.

Resolution in Opposition of the Mountain Valley Pipeline Proposed Route as Amended

R-FY-15-43
RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF MONTGOMERY, VIRGINIA
OPPOSING THE MOUNTAIN VALLEY PIPELINE

On a motion by Christopher A. Tuck, seconded by M. Todd King and carried,

WHEREAS, EQT Corporation, in a joint venture with NextEra Energy Resources, created Mountain Valley Pipeline, LLC ("Mountain Valley Pipeline") for the purpose of constructing and operating a 300 mile long 42 inch diameter natural gas transmission pipeline between Wetzel, West Virginia (Marcellus and Utica production regions) and Pittsylvania County, Virginia; and

WHEREAS, Mountain Valley Pipeline has initiated the Federal regulatory approval process to construct the pipeline by requesting use of the Federal Energy Regulatory Commission's ("FERC") pre-filing review process with the pre-filing of Docket No. PF 15-3-00; and

WHEREAS, Mountain Valley Pipeline has advised FERC in its pre-filing application that Mounty Valley Pipeline's current proposed route parallels the existing 138kV AEP Glyn Lynn Hancock power line that traverses through Montgomery County starting at the Giles County border with the George Washington Jefferson National Forest heading southeast through Montgomery County to the Roanoke County border near Interstate 81; and

WHEREAS, The current proposed route through Montgomery County will have an adverse impact on a large number of developed residences in the highly developed subdivisions of Brush Mountain Estates and Preston Forest, and on scenic, recreational, and sensitive environmental areas in the County of Montgomery; and

WHEREAS, It appears there are several residences in the Brush Mountain Estates and Preston Forest Subdivisions that will have the pipeline either come through their property or closely adjoin their property which will have a negative impact on property values, place their drinking well water at risk and unnecessarily place these residents living in Brush Mountain Estates and Preston Forest at increased risk of life or property loss should an incident occur with the pipeline; and

WHEREAS, The proposed route of the pipeline should be moved away from the residences of Brush Mountain Estates and Preston Forest in order to avoid the potential for catastrophic loss of both property and life should a pipeline incident occur; and

WHEREAS, There are several federal and/or state endangered species with habitats located within a three mile radius of the proposed pipeline route which would be harmed, not only should an incident occur with the pipeline but also during construction and maintenance of the pipeline and when herbicides and pesticides are applied to keep the right-of-way clear; and

WHEREAS, A large portion of the topography, where the pipeline route is proposed through Montgomery County, is characterized by karst terrain, sink holes and caves. The construction of the pipeline through karst topography puts the groundwater and surface water resources at greater risk of contamination/pollution and puts the pipeline at greater risk, after construction, of an incident occurring due to subsidence or other earth movement as a result of dissolving bedrock; and

WHEREAS, There are two Agricultural Forrestal Districts ("AFD"), AFD#2 located in Catawba and AFD#9 located in the Elliston/Pedlar Hills areas of Montgomery County that would be bisected by the proposed route of the pipeline. The construction and ongoing maintenance of the pipeline and the use of herbicides to keep the rights-of-way clear will negatively impact the forestal and agricultural uses in these AFDs and conflict with the purpose of putting land in an AFD, namely to conserve and protect these lands as valued natural and ecological resources, which provide clean air sheds, watershed protection, wildlife habitat, aesthetic quality and other environmental purposes for the citizens of Montgomery County; and

WHEREAS, There are two impacted waterways in Montgomery County, the North Fork of the Roanoke River and Craig's Creek that flow within the proposed pipeline route. The construction and ongoing maintenance of the pipeline and the use of herbicides and pesticides to keep the rights-of-way clear will likely lead to contamination/pollution of these two streams, further degrading these waters; and

WHEREAS, The construction of the proposed pipeline and the resulting permanent clearance of a seventy-five foot (75') wide right-of-way located through much of the most scenic, mountainous and rugged terrain in the County of Montgomery creates an adverse impact on one of the County's most valued resources, its beautiful viewshed; and

WHEREAS, The Board of Supervisors opposes the route of the Mountain Valley Gas Pipeline as proposed through the County of Montgomery, Virginia; and

WHEREAS, If Mountain Valley Pipeline were to reroute the proposed gas pipeline away from the residential communities to areas that are unpopulated not containing residences the Board of Supervisors may reconsider opposing the construction of the pipeline.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby opposes the proposed route of the Mountain Valley Gas Pipeline that is included in Mountain Valley Pipeline, LLC's pre-filing request Docket No. PF-15-3-00 with FERC because of the proposed route's adverse impacts on developed residences in the Brush Mountain Estates and Preston Forest Subdivisions within the proposed corridor and on the scenic, recreational and sensitive environmental areas in Montgomery County and that these adverse impacts to the County of Montgomery far outweigh any economic benefit the County might receive from the construction of the pipeline.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia requests that FERC closely look at whether the proposed Mountain Valley Pipeline is needed in light of the Atlantic Coast Pipeline that is likewise proposed to transport gas from the same Marcellus and Utica production regions as the Mountain Valley Pipeline with a similar planned terminus in the Mid-Atlantic region.

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby directs the County Administrator to transmit this Resolution to FERC for inclusion in pre-filing Docket Number PF-15-3-00.

The vote on the foregoing resolution was as follows:

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

Resolution Approving the Governor's Development Opportunity Fund Performance Agreement-Wolverine Advanced Materials, LLC

R-FY-15-44
RESOLUTION APPROVING THE GOVERNOR'S DEVELOPMENT OPPORTUNITY FUND PERFORMANCE AGREEMENT BETWEEN THE
COUNTY OF MONTGOMERY, VIRGINIA
WOLVERINE ADVANCED MATERIALS, LLC AND THE
ECONOMIC DEVELOPMENT AUTHORITY
OF MONTGOMERY COUNTY, VIRGINIA

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

WHEREAS, Wolverine Advanced Materials, LLC ("Wolverine") is making a $10.625 million investment creating ninety-three (93) new jobs at their facility located in Montgomery County, Virginia; and

WHEREAS, The Virginia Economic Development Partnership Authority ("VEPD") awarded a $250,000 Governor's Development Opportunity Fund Grant ("GOF Grant") to be awarded to Wolverine through the County and EDA conditioned upon the parties entering into the Governor's Development Opportunity Performance Agreement which addresses the obligations of the parties; and

WHEREAS, The Board of Supervisors desires to approve the Governor's Development Opportunity Performance Agreement.

NOW, THERFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Governor's Development Opportunity Performance Agreement between the County, the EDA and Wolverine and authorizes its Chair, William H. Brown, to execute the said Performance Agreement on behalf of the County of Montgomery, Virginia.

The vote on the foregoing resolution was as follows:

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

PUBLIC ADDRESS SESSION

Angela Stanton - 2595 Spaulding Road, Christiansburg. Ms. Stanton believes the resolution in opposition of the Mountain Valley Pipeline that the Board just adopted sort of muddled their message. She wishes they had gone with the original version of the resolution, which she does not believe would have closed any doors.

Tom Hoffman - Pearisburg. Saying he understood how people in Preston Forest feel or people in other populated areas that are concerned about their homes and their property, but neither do people want it in the National Forest. The National Forest is protected by the federal government, where people come from all over to fish or to hunt or to hike the Appalachian Trail, and this brings money into both Giles County and Montgomery County.

Max Macon –Speaking on behalf of the Mountain Valley Pipeline (MVP) and their partner companies, EQT Corporation and NextEra Energy Resources, thanked the Board for the opportunity to speak tonight, and for their invitation to participate in the public forum held last week at the Blacksburg High School. For the benefit of the Board and the citizens of the County, Mr. Macon reiterated that the pipeline is in the early stages of the route planning and the route will not be finalized until underground surveys have been conducted on the proposed route. These surveys are necessary to evaluate topographical, environmental, historical, and cultural features of the land. The evaluation will also consider all information and concerns shared by the Board of Supervisors and the citizens of Montgomery County.

Will Stanton said with all due respect to the MVP representative, he found the performance of the representatives at the November 5th public forum appalling. One of the questions was

simply in terms of what would the pressure on the pipeline be, and they had no answer. And when asked if open trenches would be left in neighborhoods at night, their answer was no, that the pipes would be buried the day they were put in, and Mr. Stanton believes the process could take as long as a month.

Brad Kline 40656 Suzanna Drive, Blacksburg. Mr. Kline expressed his appreciation to the Board for their efforts at the November 5th public forum, and how well prepared they were. He said that he also was appalled at the evasive and empty answers that were provided by EQT and NextEra representatives, they didn't seem to know much about their own project. He thanked the Board for adopting the resolution opposing the pipeline, and asked that the Board continue to stand with the citizens of Montgomery County in any way they can.

Greg Moneyhun believes the MVP representatives when they say they don't necessarily know what the compression is, that they have not done a project this big, and that they are not aware that we live in karst terrain and they are not sure what is going to happen when the earthquake comes. Being a very informed community, Mr. Moneyhun proposed that the citizens have as much information as possible for MVP representatives for them to make the right route decisions. He thanked the Board for its efforts to try to protect the citizens' property values, but there is also a lot more at stake here, that's not the only value they have in their community. The natural areas are a large part of the revenue sources as well, and the clean water that we have is invaluable.

Margaret Rosten said that even if we stop this pipeline, it is going to come back, so everyone needs to be vigilant about it. She suggested that the Board ask the Tourism Board and the Chamber of Commerce to put together information that can be presented to FERC about why the pipeline is not good for the County. She thanked the Board for going on record as opposing the proposed pipeline.

There being no further speakers, the Public Address session was closed.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator informed the Board that the General Services Department has suffered several losses in the past few weeks. Two of their employees' mothers passed away; and one of our employees, 34 year old Josh Dunford, passed away. The County Administrator asked that everyone keep them in their thoughts and prayers.

BOARD REPORTS

Annette Perkins reported that Supervisor Mary Biggs has been on VACo's Board of Directors for a while now, and was elected 2nd Vice President at VACo's annual conference. Traditionally, the 2nd vice president will move up to 1st vice president and then president. Supervisor Perkins thanked Supervisor Biggs for all her hard work in representing the Board of Supervisors.

Supervisors Perkins attended quite a few committee meetings since the last BoS meeting, including the Virginia Tech/Montgomery Regional Airport Authority meeting. She asked that the County Administrator invite Michael St. Jean, Executive Director of the Airport Authority, to attend a Board meeting and provide an update on recent activities.

Supervisor Perkins also asked that Clark Wallcraft, Executive Director of Pepper's Ferry Regional Wastewater Treatment Authority (PFRWTA), be invited to attend a Board meeting and provide an update on PFRWTA's recent activities.

Supervisor Perkins thanked everyone who addressed the Board about the proposed Mountain Valley Pipeline, and repeated the Board's intent to continue to stand up and do whatever can be done to protect Montgomery County citizens' property, their homes, their safety, and our environment.

Supervisor Mary Biggs Supervisor Biggs also thanked her constituents who continue to e-mail and come to the Board meetings, and continue to educate the Board. She also expressed appreciation for the pipeline company attending tonight's meeting and thinks it is good because this is going to be a continuing process and the more they hear, the more educated they become as well.

Supervisor Biggs announced that when VACo meets again in February, Supervisor Perkins will be sworn in as a director on the VACo board, which is another plus for our county.

During VACo's annual conference, Supervisor Biggs moderated a meeting about county and school board relations and their common goals. One of the things she took away from the meeting was that we are very fortunate in Montgomery County to have the kind of relationship we do have between the two boards, and that it took a lot of work to get there, but there is a good working relationship which goes back to communication and all the different things that are done in that regard. VACo's Educational Steering Committee met, and just like last year, counties are fighting just to maintain funding and the state pay for what they are supposed to pay for. Supervisor Biggs encouraged Board members to become active in VAC o and serve on a committee. There are also educational opportunities if supervisors want to take advantage of them through the Virginia Certified County Supervisors program. Former Congressman Rick Boucher, a member of the state's Ethics Committee, came and talked about what is being done to ensure integrity and public confidence in state government. There is great concern about what local officials and state officials think is needed to help make the process smoother in filling out forms and making financial disclosures.

Supervisor Biggs and the County Administrator attended the Virginia's First Regional Industrial Facility Authority meeting earlier on this date, and Supervisors Biggs shared her excitement about the new leadership at Virginia's First. The new Executive Director, Lenny Wilson, is really trying to pull everything together and make it understandable, and pulling all the people together, and made it a very positive meeting.

Supervisor Biggs thanked the members of the Board for their resolution in support of her election as VACo's 2nd vice president, and county staff for helping to get everything together for her.

Supervisor Chris Tuck reminded everyone of the talent show on Saturday night at 7:00 p.m. at Christiansburg High School.

Supervisor Todd King reported on a seminar that he and Supervisor Biggs attended over the weekend about the Virginia Department of Health, and distributed information that was provided at the Seminar.

Supervisor Gary Creed No report.

Supervisor Bill Brown agreed with other Board members about the pipeline, and thanked the citizens for coming out and supporting the Board as well as educating them. Electronically citizens have moved a lot of information to their fingertips.

The Health Department came and educated everyone about precautions in dealing with suspected cases of Ebola and so forth. Supervisor Brown also reported that our Fire and Rescue people are prepared to deal with suspected Ebola cases.

Supervisor Brown thanked the Board for their support, and agree to disagree, but are still a team, and really concerned about the pipeline. All though the Board has no statutory legal authority and the resolution may be symbolic, it sends a message that we are standing with our people.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, November 24, 2014.

The meeting adjourned at 10:08 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 24th DAY OF NOVEMBER, 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	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Ruth Richey	-Public Information Officer
	Brea Hopkins	-Planner
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Annette S. Perkins	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

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 Closed Meeting for the purpose of discussing the following:

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

1. Former Blacksburg Middle School Property
2. Former Prices Fork Elementary School Property

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. NRV Economic Development Alliance
2. Western Virginia Emergency Medical Services Council

The vote on the forgoing motion was as follows:

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

OUT OF CLOSED MEETING

On a motion by 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:

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

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAYS
None

ABSENT DURING VOTE
Annette S. Perkins

ABSENT DURING MEETING
Annette S. Perkins

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DELEGATIONS

Montgomery County Cooperative Extension
Michelle Dickerson, 4-H Agent, and Kelli Scott, Agriculture and Natural Resources Agent, updated the Board on the Montgomery County Cooperative Extension activities and highlights of the educational programs provided for the citizens of Montgomery County in the areas of Agriculture and Natural Resources, Family and Consumer Sciences and 4-H Development.

PUBLIC HEARING

Special Use Permit – James & Sherry Carter

A request by James & Sherry Carter for a Special Use Permit (SUP) on approximately 2.253 acres in an Agricultural (A-1) zoning district to allow a family subdivision of property with one (1) additional lot assignment over the amount allowed under sliding scale as permitted under Section 10-21 (4) (b) of the Montgomery County Zoning Ordinance. The property is located at 3591 Peppers Ferry Road and is identified as Tax Parcel No. 064- A 86A (Account No. 030005) in the Riner Magisterial District (District B). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further designated as medium density residential in the Belview Village Plan.

Brea Hopkins, Development Planner, provided a summary of the Special Use Permit request. The applicant is requesting a Special Use Permit to allow an additional lot assignment in order to transfer a lot to a family member. According to the applicant, they purchased an additional lot in 2004 and at the time the surveyor vacated the property boundary line without their knowledge, thus creating one larger parcel instead of 2 parcels.

At their November 12, 2014 meeting, the Planning Commission reviewed the request and recommended approval of the Special Use Permit with two conditions as follows:

1. The proposed lot shall be transferred to a qualifying family member.
2. A note regarding the private access easement and identification of Bradford Lane as a private road shall be included on the final plat.

There being no speakers, the public hearing was closed.

Supervisor Tuck stated that since there were no speakers tonight or any opposition received that he would like to add the Special Use Permit to the agenda for consideration.

PUBLIC ADDRESS

Sue Farrar, Executive Director for the Montgomery Museum, updated the Board on the Museum's activities. She provided highlights of their annual Heritage Day event and the Mountain of Music Homecoming event sponsored by the Crooked Road. Ms. Farrar reported that currently they have over 4,000 artifacts and over 20,000 photographs at the Museum. They offer internships for local universities and currently have six student interns from Virginia Tech and have five student volunteers. They have over 100 citizen volunteers and have two paid staff members. Ms. Farrar thanked the Board of Supervisors for their support.

Scott Noonkester asked the Board to consider naming a section of Prices Fork Road after his father, Jim Noonkester. Mr. Noonkester stated his father served as a member of the Board of Supervisors and a community leader for numerous years.

Mara Robbins addressed the Board regarding the proposed Mountain Valley Pipeline. Ms. Robbins thanked the Board for being generous in allowing citizens to speak at the Board meetings regarding the pipeline. She thanked the Board for adopting a resolution in opposition to the Mountain Valley Pipeline; however, she expressed concern with the last paragraph in the resolution that the Board may reconsider their support if the route is moved away from dense population. She commented that they are opposed to the pipeline in its entirety. Ms. Robbins also reported that two townships in Pennsylvania are considering anti-pipeline ordinances intended to prevent a natural gas pipeline from running through their communities. She provided a handout on the community rights and the efforts of some communities to establish a Community Bills of Rights. Floyd County is in the process of looking at the process to establish a Community Rights ordinance and requests Montgomery County do the same.

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

ADDENDUM

On a motion by Christopher A. Tuck, seconded by Gary D. Creed and carried unanimously, the following addendum was added to the agenda under New Business:

- Ordinance Allowing a Special Use Permit for James & Sherry Carter for the purpose of allowing a family subdivision with one additional lot assignment over the amount allowed under the sliding scale as permitted by the Montgomery County Zoning Ordinance.

The vote on the foregoing motion was as follows:

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated November 24, 2014 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the minutes dated July 28, August 4, August 11, August 25 and September 2, 2014 were approved.

Schedule Public Hearing

R-FY-15-45
A RESOLUTION SCHEDULING A PUBLIC HEARING ON THE TOWN OF CHRISTIANSBURG'S REQUEST TO THE BOARD OF SUPERVISORS FOR A VARIABLE WIDTH PERMANENT PEDESTRIAN ACCESS EASEMENT ON COUNTY PROPERTY BESIDE THE OLD COURTHOUSE

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 Monday, December 15, 2014, at 7:15 p.m. or as soon thereafter in the Board Chambers at the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Town of Christiansburg's request for a variable width permanent pedestrian access easement across a portion of County property, Tax Parcel # 527(A)-84, the former Crowgey property, beside the old Courthouse.

Appropriations and Transfers

A-FY-15-49
SHERIFF APPROPRIATION FOR ADDITIONAL BODY CAMERAS, PATROL SCOUT SOFTWARE AND PURCHASE OF MOBILE DATA TERMINALS

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, 2015 for the function and in the amount as follows:

320	Sheriff- County	$66,780
140	Information Technology	$40,000
		106,780

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

Revenue Account
451203 Undesignated Fund Balance $106,780

Said resolution appropriates undesignated fund balance to purchase 70 additional body cameras, the Patrol Scout software system and 8-9 Mobile Data Terminals (MDT) replacements for the Sheriff's Office.

A-FY-15-50
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, 2015, for the function and in the amount as follows:

310	Sheriff Comp Board		$ 1,935
320	Sheriff County		$31,301
321	Sheriff County		$ 5,113
		Total	$38,349

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

Revenue Account			
419108	Recovered Costs		$33,236
419104	Confiscations		$ 5,113
		Total	$38,349

Said resolution appropriates recovered costs and monies received from the Department of Criminal Justice Services Asset Forfeitures.

A-FY-15-51
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, 2015, for the function and in the amount as follows:

200 Commonwealth's Attorney $7,057

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

Revenue Account
419104 Confiscations $7,057

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

A-FY-15-52
ECONOMIC DEVELOPMENT AUTHORITY
REIMBURSEMENT

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, 2015, for the function and in the amount as follows:

451209 Transfer to County Capital Projects $58,000

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

451203 Undesignated Fund Balance $58,000

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, 2015 for the function and in the amount as follows:

810 Economic Development Capital Projects $58,000

Amend County Policy

R-FY-15-46
AMEND THE FIRE AND RESCUE VEHICLE POLICY

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 Montgomery County Fire and Rescue Vehicle Policy adopted on October 22, 1990 is hereby amended and reinstated as follows:

1. Emergency personnel will, at all times, drive and operate emergency vehicles in a manner consistent with safety and due regard for the welfare of the public

2. Personnel driving emergency vehicles will be ~~21~~ ***at least 18*** years of age, possess a valid operator's license issued by the Division of Motor Vehicles, State of

Virginia, and will know the provisions of the Vehicle Code and be familiar with the other pertinent information regarding their privileges and responsibilities as operators of fire and rescue department automotive equipment.

3. ***Rescue personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be allowed to drive from the hospital to the station to develop their driving skills under the supervision of an approved driver.***

4. ***Fire Department personnel between 18-21 years of age (having taken and passed an approved EVOC Class) may drive at the discretion of a senior member or officer if deemed necessary for the department to provide care or service. When possible 18-21 year old drivers should not respond using lights and sirens unless absolutely the last resort and only if they hold a valid EVOC card. If personnel are themselves uncomfortable with driving they shall have the final say. 18-21 year old personnel should be trained in the operation and driving of a fire apparatus by skilled drivers prior to being allowed to respond in emergency situations. Anything in these rules shall not conflict with department procedures for clearing a driver/operator for certain apparatus.***

~~3~~***.5.*** All personnel who wish to operate a County owned or insured vehicle must submit a copy of their driver's licenses and submit to a Division of Motor Vehicle verification of their driving record, which will remain on file in the County Administrator's Office and at each station in the event of an accident or question surrounding the operation of a motor vehicle arises. The DMV checks will be made by Montgomery County at no cost to the member.

~~4~~***.6.*** All new drivers who wish to operate a fire or rescue vehicle shall be fully in-serviced in its operation and shall be certified by the department chief.

~~5~~***.7.*** Operators of Montgomery County emergency vehicles shall be a <u>member</u> of the fire or rescue department or operating on a mutual aid request.

~~6~~***.8.*** All fire vehicle operators must know pump operations, maintenance procedures and utilization of that vehicle and control of the apparatus and vehicles on and off the scene.

~~7~~***.9.*** All personnel shall wear seat belts and no one shall ride in any position on an emergency vehicle without a seat and seat belt being provided for that riding position unless exempted for one of the following two reasons: (1) the rescue squad member attending the patient in the patient compartment of the ambulance

is providing care to a patient, or (2) firefighters may temporarily release the seat belt in order to put on a breathing apparatus.

~~8.~~***10.*** Riding on tailboards, hose beds, side steps or any other non-protected area is strictly prohibited.

~~9.~~***11.*** When operating vehicles for reasons other than responding to calls, the driver shall drive defensively and observe all traffic laws.

~~10.~~***12.*** At all times, the driver shall operate the vehicle within speed limitations so that the vehicle may be safely controlled at all times and controlled in the event of emergency situations such as vehicles stopping in front of you, vehicles turning in front of you, etc.

~~11.~~***13.*** Emergency vehicles shall be brought to a stop or almost stop when the vehicle approaches a stop sign or red stop sign. Vehicles may then proceed through the intersection when it is safe to do so. At other intersections extreme caution will be exercised and the vehicle brought to a complete stop if necessary.

~~12.~~***14.*** An emergency vehicle that is approaching a school bus on a two lane highway or street that is taking on or unloading children and displaying flashing lights, will come to a complete stop and will not proceed until such time as the flashing red lights are turned off by the school bus driver. Speed limits shall be complied with in school zones while flashing lights are on or crossing guards are present.

~~13.~~***15*** Emergency vehicles will be operated as emergency vehicles with all warning devices operating continuously as provided by law. Emergency warning lights and headlights will be illuminated at all hours of the day or night while responding to calls and as necessary when working at emergencies. Particular attention should be given to operating the siren on a fluctuating sound rather than a consistent sound. Sirens will be used at full capacity when proceeding through controlled intersections or while passing traffic. Exceptions may be passing of traffic on the right side of multi-lane highways. In response to calls, no emergency vehicle shall pass another emergency vehicle unless it is delayed or disabled or radio approval is given by the lead unit. Racing with emergency vehicles at any time is strictly prohibited.

~~14.~~***16.*** It shall be the driver's responsibility to ensure that the area behind the vehicle is clear before backing the vehicle. The driver should have a guide in place to direct the vehicle in a safe manner.

~~15.~~***17.*** During emergency response, use of any tobacco products such as smoking, chewing, and dipping of snuff, and drinking or eating of food is prohibited by all personnel responding to an emergency call in a county vehicle.

~~16~~.***18.*** Persons riding jump seats shall remain seated and have safety belts fastened at all times while the vehicle is in motion. Personnel shall also not step on or from any emergency vehicle until it is at a complete stop.

~~17~~.***19.*** Vehicles will not leave on emergency calls until all personnel are seated and seat belted into riding position.

~~18~~.***20.*** Personnel under the influence of alcohol or other mind altering substances shall be prohibited from operating an emergency vehicle and, responding to or operating at emergency incidents.

~~19~~.***21.*** Failure to comply with any section of this procedure shall lead to disciplinary action, up to and including the removal of the member as an active member of the fire or rescue unit.

~~20~~.***22.*** All personnel shall abide by all applicable federal, state and local laws while in or operating emergency vehicles.

*****Deletions are denoted by ~~strikethrough~~ and additions are denoted in ***bold Italic***

OLD BUSINESS

R-FY-15-47
RESOLUTION APPROVING THE CONVEYANCE OF A TEN FOOT (10') WIDE EASEMENT AND RIGHT-OF-WAY TO APPALACHIAN POWER COMPANY ON THE FORMER AEP PROPERTY LOCATED OFF NIK RYAN DRIVE; TAX MAP NO 54-A-4A

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

WHEREAS, Appalachian Power Company ("AEP") has requested the Board of Supervisor of the County of Montgomery, Virginia to convey a ten foot wide easement and right-of-way along the eastern boundary of the County property commonly referred to as "the former AEP Property" located off Nik Ryan Drive, Tax Map No. 54-A-4A, in order to place an existing overhead power line underground; and

WHEREAS, The Board of Supervisors is willing to convey the ten foot wide easement and right-of-way to AEP; and

WHEREAS, A public hearing on this proposed conveyance was held on Wednesday, November 12, 2014, pursuant to Section 15.2-1800 of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby agrees to convey a ten foot wide easement and right-of-way to AEP along the eastern boundary of the County property commonly referred to as "the former AEP Property" located off Nik Ryan Drive, Tax Map 54-A-4A; and

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

The vote on the forgoing resolution was as follows:

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

NEW BUSINESS

ORD-FY-14-06
ORDINANCE ALLOWING A SPECIAL USE PERMIT FOR JAMES & SHERRY CARTER FOR THE PURPOSE OF ALLOWING A FAMILY SUBDIVISION OF PROPERTY WITH ONE (1) ADDITIONAL LOT ASSIGNMENT OVER THE AMOUNT ALLOWED UNDER SLIDING SCALE AS PERMITTED UNDER SECTION 10-21 (4) (B) OF THE MONTGOMERY COUNTY ZONING ORDINANCE IN THE RINER MAGISTERIAL DISTRICT (DISTRICT B); IDENTIFIED AS 064- A 86A; ACCOUNT NO. 030005

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that the request by James & Sherry Carter for a Special Use Permit (SUP) on approximately 2.253 acres in an Agricultural (A-1) zoning district to allow a family subdivision of property with one (1) additional lot assignment over the amount allowed under sliding scale as permitted under Section 10-21 (4) (b) of the Montgomery County Zoning Ordinance is consistent with the County's Comprehensive Plan and is hereby approved with the following conditions:

1. The proposed lot shall be transferred to a qualifying family member of Mr. & Mrs. Carter.
2. A note regarding the private access easement and identification of Bradford Lane as a private road shall be included on the final plat.

The property is located at 3591 Peppers Ferry Road and is identified as Tax Parcel No. 064- A 86A (Account No. 030005) in the Riner Magisterial District (District B). The property lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further designated as medium density residential in the Belview Village Plan.

The vote on the forgoing ordinance was as follows:

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

A-FY-15-53
COUNTY FY 14 YEAR-END CARRYFORWARD

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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	$17,500
110	County Administration	$43,880
152	Assessment	$10,340
162	Treasurer – Collections	$570
170	Registrar	$9,362
200	Commonwealth Attorney	$22,040
210	Circuit Court	$2,440
220	General District Court	$520
230	Juvenile & DR Court	$1,481
310	Sheriff – Comp Board	$16,132
400	General Services	$24,061
420	Engineering & Reg. Compliance	$27,600
520	Human Services	$7,600
540	Social Services	$72,865
700	Parks and Recreation	$7,583
710	Regional Library	$21,921
451209	Transfer to County Capital Projects	$39,114
	Total	**$325,009**

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

Revenue Account			
02	451203	Undesignated Fund Balance	**$325,009**

BE IT FURTHER RESOLVED, 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:

700	Parks and Recreation	$39,114

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

451100	Transfer from General Fund	$39,114

Said resolution appropriates amounts recommended to be carried forward for use in the current year.

The vote on the forgoing resolution was as follows:

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

R-FY-15-48
STATE BUDGET CUTS METHOD
OF REIMBURSEMENT FOR FY 2015

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

WHEREAS, On November 10, 2014, the General Assembly passed HB 5010 which amends Chapter 2, 2014 Acts of Assembly, Special Session 1 to include a $30 million reduction in state aid to local governments in FY 2015; and

WHEREAS, The Act also provides three methods from which a locality can choose to carry out the required reduction which include:

1. Take the reduction from one or more programs on a list provided by the Department of Planning and Budget,

2. Make a reimbursement payment directly to the state for the total locality reduction,

3. Elect a combination of reductions and reimbursement payments,

WHEREAS, The Department of Planning and Budget identified Montgomery County's reduction for FY 2015 totaling $159,844.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that Montgomery County elects to take the reduction from one or more programs as listed by the Department of Planning and Budget and specifically identified by the County.

The vote on the forgoing resolution was as follows:

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

A-FY-15-54
STATE BUDGET CUTS FOR FY 15

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

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

Revenue Account		
150 423100	Commissioner Shared Expenses	($3,218)
160 423100	Treasurer Shared Expenses	($2,849)
170 423100	Registrar Shared Expenses	($1,410)
200 423100	Comm. Atty. Shared Expenses	($15,729)
250 423100	Clerk Shared Expenses	($7,240)
320 423100	Sheriff Shared Expenses	($55,311)
02 422103	Motor Vehicle Carrier Tax	($4,513)
710 424409	State Library Grant	($6,095)
720 424409	State Library Grant	($1,076)
520 424412	VJCCCA Grant	($1,503)
02 451203	Undesignated Fund Balance	$98,944
	Total Revenue	**$ 0**

Said resolution appropriates undesignated fund balance to cover the County's portion of the $30 million mandated reduction in state aid to localities for FY 2015.

The vote on the forgoing resolution was as follows:

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

R-FY-15-49
RESOLUTION AUTHORIZING APPROVAL OF THE THIRD AMENDMENT TO THE FORMER PRICES FORK ELEMENTARY REAL ESTATE PURCHASE AND SALE AGREEMENT EXTENDING THE REVIEW PERIOD

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

WHEREAS, Taylor Hollow Management, LLC and the Montgomery County Board of Supervisors executed and entered into a Real Estate Purchase and Sale Agreement ("the Agreement") to sell the former Prices Fork Elementary Property ("the Property") located along Prices Fork Road; and

WHEREAS, Both the Purchaser and Seller desire to amend Section 7.1 of the Agreement by extending the review period from December 1, 2014 to January 31, 2015, at 5:00 p.m. EST in order to provide additional time for the parties to sort out the road improvements to Prices Fork Road being required by VDOT to redevelop the Property.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the Third Amendment to the former Prices Fork Elementary Property Real Estate Purchase and Sale Agreement extending the review period from December 1, 2014 to January 31, 2015, at 5:00 p.m. EST in order to provide additional time for the parties to work out and finalize with VDOT what the required road improvements to Prices Fork Road will be for the redevelopment of the Property.

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

The vote on the forgoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported that the General Services Department is ready for the upcoming inclement weather. Snow plows have been installed on the County trucks.

The County Administrator wished everyone a Happy Thanksgiving.

BOARD MEMBERS REPORTS

Supervisor Tuck reported Shelor Motor Mile hosted the 3rd annual Growing the Future Talent Show Finale on Saturday, November 15 at Christiansburg High School. Over $60,000 was awarded to students and high schools in the New River Valley, Craig County, Giles County, and Radford City. Blacksburg High School student, Morgan Arrivillaga performed a Broadway Vocal and Tap Solo and took home the grand prize of $20,000 for her school and $2,500 for herself. Other winners are as follows:

2nd Place: Christiansburg High School
3rd Place: Radford High School
4th Place: Pulaski County High School
5th Place: Tied: Floyd County High School and Narrows High School

Supervisor Gabriele asked that a copy of the Board's resolution outlining the County's reimbursement back to the State due to State budget cuts be provided to the County's legislators. The Board is scheduled to have a legislative meeting on Monday, December 8, 2014.

Supervisor King reported the Auburn High School Girls Volleyball Team won their 3rd straight state championship. He expressed appreciation to the Sheriff's Office for escorting the bus back to the school after winning the championship.

Supervisor Tuck asked that a resolution recognizing AHS Girls Volleyball Team winning the state championship be on the next agenda.

Supervisor Creed recognized Matt Hagan for winning the 2014 NHRA Funny Car World Championship. This is the second time Matt Hagan has won the World Championship. Supervisor Creed requested a resolution recognizing Mr. Hagan's accomplishment be added to the next agenda.

Supervisor Brown thanked Harry Spence for hosting a retiree gathering for former law enforcement officers. Former Sheriff Doug Marrs, former Deputy's John Yon, and Billy Saunders were a few who attended.

Chair Brown thanked the Montgomery County Sheriff's Office and the Town of Blacksburg Police Department for providing security at the November 5th meeting with the Mountain Valley Pipeline representatives. There were approximately 1,000 people in attendance.

Chair Brown requested a copy of the Board's resolution in opposition to the Mountain Valley Pipeline be forwarded to U.S. Senators Tim Kaine and John Warner, and Delegate Morgan Griffith.

No PSA meeting scheduled for December.

The entire Board wished everyone a Happy Thanksgiving.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, December 8, 2014 at 6:30 p.m. The meeting adjourned at 8:20 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 8th DAY OF DECEMBER , 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
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors
	John Edwards	-State Senator
	Ralph Smith	-State Senator
	Larry "Nick" Rush	-House of Delegates

CALL TO ORDER

The Chair called the meeting to order and welcomed the State Legislators. Delegate Habeeb is out of town and Delegate Yost had a family emergency and will not be attending the meeting tonight. The purpose of the meeting was to hold discussions with State Legislators regarding 2015 legislative priorities.

Montgomery County Board of Supervisors Legislative Priorities

Chair Brown thanked the legislators for the opportunity to address issues of concern for Montgomery County. Of particular concern to Montgomery County is the continued shift of state responsibilities to localities through mandating services without full or partial funding, along with what has become an annual reduction of state funding to localities, whether the dollars are generated at the state or local levels. The continued reduction in state support places a significant burden on local resources. In order to continue critical services, Montgomery County has increased local funding to address state shortfalls; however, with the tax on real estate being the County's primary revenue source, we do not foresee landowners being able to continue to offset all of the shortfalls.

The Board believes the General Assembly can take some actions that will help Montgomery County and other localities focus their resources on the most critical services, including:

•Relaxing state mandates on counties in every area possible.
•Relaxing state regulations on counties.
•Providing revenue sources for counties to generate local dollars in addition to property taxes, including sources that are already allowed for cities and towns.
•Refusing to pass legislation which results in additional mandates on localities.

A copy of the 2015 Legislative Priorities adopted by the Montgomery County Board of Supervisors for consideration during the upcoming General Assembly session was distributed. Montgomery County's legislative priorities are as follows:

- ***Ending Unfunded Mandates on Local Government*** by reducing state mandates in proportion to state revenue reductions. Also, shifting the delivery of state services such as transportation should end. **RESPONSIBILITY FOR SECONDARY ROADS SHOULD NOT BE SHIFTED TO LOCALITIES.**

- ***Ending Future State Funding Reductions*** in the two areas where the state has served as a partner with local government: public education and public safety.

- ***Protect Local Governments' Taxing Authority for Current Revenue Sources***. Each General Assembly Session, bills are introduced to eliminate, restrict, or weaken, local governments' ability to levy taxes on its existing revenue sources. Montgomery County asks that our current revenue sources be protected.

- ***Strengthening the Diversity of Local Revenues by Sharing Income Taxes or Other Revenue Sources in Support of Local Services*** by distributing a percentage of individual income tax revenues, providing the authority to levy a local income tax, or allowing other sources to generate revenue locally for locally delivered services.

- ***Strengthening the County's Revenue Base by Enacting Equal Taxing Authority*** by eliminating the distinction in the taxing authority of Virginia's cities and counties.

- ***Recognizing the State's Role in Funding Quality Education*** by fully funding the state Standards of Quality (SOQ), basing teacher pay raises on actual positions, not just SOQ.

- ***Reassessment Amend Section 58.1-3330 of the Code of Virginia relating to notice of change in assessment for real property as specified in SB 678.*** Montgomery County supports Senator Watkins pre-filed bill (SB 678) which clarifies that the notice of change in assessment shall include the last two years final assessments and final tax rates and not the preceding last two assessments. For localities that conduct four and six year reassessments the last two assessments could have been in the last two years or up to four and eight years ago which makes it confusing.

- ***Amend Section 58.1-3331 of the Code of Virginia relating to the mandate that owners with less than four residential units shall be given a 45 day notice prior to hearing their appeal of the assessment before the Board of Equalization.*** Montgomery County supports language amending this section to remove the forty five day notice mandate and replace it with a minimum notice period of fifteen days with the option for the landowner to request additional time if needed. The current language creates a scheduling problem for four and six year assessment localities and does not give the landowner the option to have their hearing heard earlier than 45 days.

- ***Providing State Funding for 100% of the Costs of Optical Scan Voting Machines, 100% of the Costs of Electronic Pollbooks and 100% of the Operating Costs of the Electoral Board/General Registrar.***

- ***Sustain State aid to Library System*** **through the "New Age, New Library" plan to meet the needs of 21st century library users in Virginia.**

- ***Mandatory Water and Sewer Connections*** Montgomery County requests legislation adding Montgomery County to the list of counties who can require mandatory water and sewer connections pursuant to the authority contained in Section 15.2-2110 of the 1950 Code of Virginia, as amended.

- ***Eliminate Split Voting Precincts in Montgomery County*** Montgomery County requests that technical adjustments be made to the boundaries of House Districts 7, 8, and 12 in Montgomery County in order to eliminate split voting precincts in Montgomery County

- ***Ensuring 100% of Administrative Funds for the Comprehensive Services Act (CSA)*** and increasing state matching share for all CSA costs.

- ***Processing and Marketing of Industrial Hemp*** Montgomery County supports efforts by all levels of government to allow cultivation, processing and marketing of industrial hemp.

Each Board member had the opportunity to speak on issues or concerns and State Legislators were given the opportunity to address the Board on their thoughts. Issues that were discussed included the following:

- Revenue Shortfall and State Mandates
  Legislators stated that the State has received less income tax revenue and less federal government contracts. In the past the State has relied heavily on government contracts, primarily military contracts.
- Protection of Localities taxing rights/Tax Reform
  Legislators stated they don't see any changes in the near future. Virginia has an outdated tax system and counties rely heavily on property/real estate taxes. The

cost of running a government has increased and citizens expect a certain level of services. Some localities rely heavily on BPOL tax (business tax) such as Alleghany and Pulaski Counties. If the General Assembly abolishes this tax then another form of tax will have to take its place.

- K-12 Education
  Legislators stated that the Governor will protect K-12 funding in the budget.
- Higher Education
  Legislators believe that funding for higher education will be cut. Higher education can increase their tuition and fundraise; however, the legislators believe this is hurting the four-year college/university by reducing enrollment. Some universities have large endowments to help offset reduced funding while others don't. The enrollment to community colleges has skyrocketed. Students are saving money by enrolling at community colleges and then transferring to a four year college.
- Reassessment/Board of Equalization Requirements
  Delegate Rush will introduce a bill to correct the changes adopted last year.
- Split Precinct Issues
  Delegate Yost will introduce a bill to correct split precincts in Montgomery County.
- Adoption of the State Budget - Need to adopt earlier
  Legislators agreed that adoption of the state budget needs to be done in a timely manner.
- Body Cameras for Law Enforcement –Federal or State Funding
- Amtrak Passenger Train
  Senator Edwards noted that Amtrak is working on the rail lines to Roanoke. Also a feasibility study is being performed to determine a station/stop in the New River Valley. Senator Edwards stated the funding is available but the area needs to provide information showing there is enough ridership to support a stop in the New River Valley.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, December 15, 2014 at 6:00 p.m. The meeting adjourned at 8:05 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator