AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 27th DAY OF JULY, 2015 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Matthew R. Gabriele	-Supervisors
	M. Todd King	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Emily Gibson	-Planning Director
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Gary D. Creed	-Supervisors
	Annette S. Perkins	

CALL TO ORDER

The Chair called the meeting to order.

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 (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. Franklin Street Downtown Christiansburg
2. Riner Public Safety Site
3. Former Blacksburg Middle School Property
4. Former Blacksburg High 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. Transportation Safety Commission

The vote on the forgoing motion was as follows:

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

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAYS
None

ABSENT DURING VOTE
Gary D. Creed
Annette S. Perkins

ABSENT DURING MEETING
Gary D. Creed
Annette S. Perkins

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PRESENTATIONS, RECOGNITIONS AND AWARDS

Preserve the New River Valley

Angela and Will Stanton with Preserve the New River Valley and Preserve Montgomery County, Va made a presentation requesting the Board of Supervisors to consider the adoption of a resolution requesting the Virginia Department of Environmental Quality ensure that guidelines for erosion and sedimentation control be met if the Mountain Valley Pipeline is certificated. A draft resolution prepared by Preserve the New River Valley was submitted to the Board of Supervisors to consider. A copy of the presentation is as follows:

A "Mega" Pipeline

- The 42" Mountain Valley Pipeline will be the largest ever built in this this region
- Pipeline construction on this scale, across the landscape in our region, will result in the degradation of downstream water resources
- These "mega" pipelines require:
  - Excavation of 125-foot wide corridors over steep forested mountains
  - Heavy-duty transport roads and staging areas for large earth-moving equipment and pipe delivery
  - Extensive forest clearing, soil compaction, bedrock blasting, and excavation through streams, riparian areas, and wetlands

Presentation to the Montgomery County Board of Supervisors

Regulatory Environment

- While Virginia has put in force regulations to minimize erosion and sedimentation, as well as the alteration of stream channels and aquatic habitat due to uncontrolled runoff,
  - **PIPELINE CONSTRUCTION IS EXEMPT FROM THE REGULATORY OVERSIGHT THAT APPLIES TO MOST OTHER LARGE CONSTRUCTION PROJECTS**
  - Pipeline construction companies are largely self-regulating with respect to erosion and sediment control (E&SC) and stormwater management (SWM)
  - While most construction projects fall under the jurisdiction of local E&SC authorities, pipeline construction companies are instead subject to Annual Standards and Specifications
    - This allows the companies to perform their own compliance review and conduct their own inspection programs using company-hired plan reviewers and inspectors

Presentation to Montgomery County Board of Supervisors

The Role of the Virginia Department of Environmental Quality (DEQ)

- The Virginia DEQ has a responsibility to regulate pipeline constructionto prevent the degradation of water resources – HOWEVER, the DEQ does NOT have a program in place to meet this responsibility
- Pipeline companies are required to prepare site-specific E&SC plans
- The DEQ has the authority to require submission of site-specific E&SC plans
- The DEQ has not allocated staff resources for plan review and has therefore not required plan submission
- As a result, no one other than company-hired plan reviewers are able to access and review the E&SC plans for compliance with state requirements

Presentation to Montgomery County Board of Supervisors

The Role of the Virginia Department of Environmental Quality (DEQ)

- The Virginia DEQ is supposed to review and approve Annual Standards and Specifications submitted by pipeline construction companies
- DEQ has not allocated staff resources for this task
- The DEQ has the authority to inspect pipeline construction projects, but does not do so unless there is a water-quality complaints from the public

Presentation to Montgomery County Board of Supervisors

A Local Example

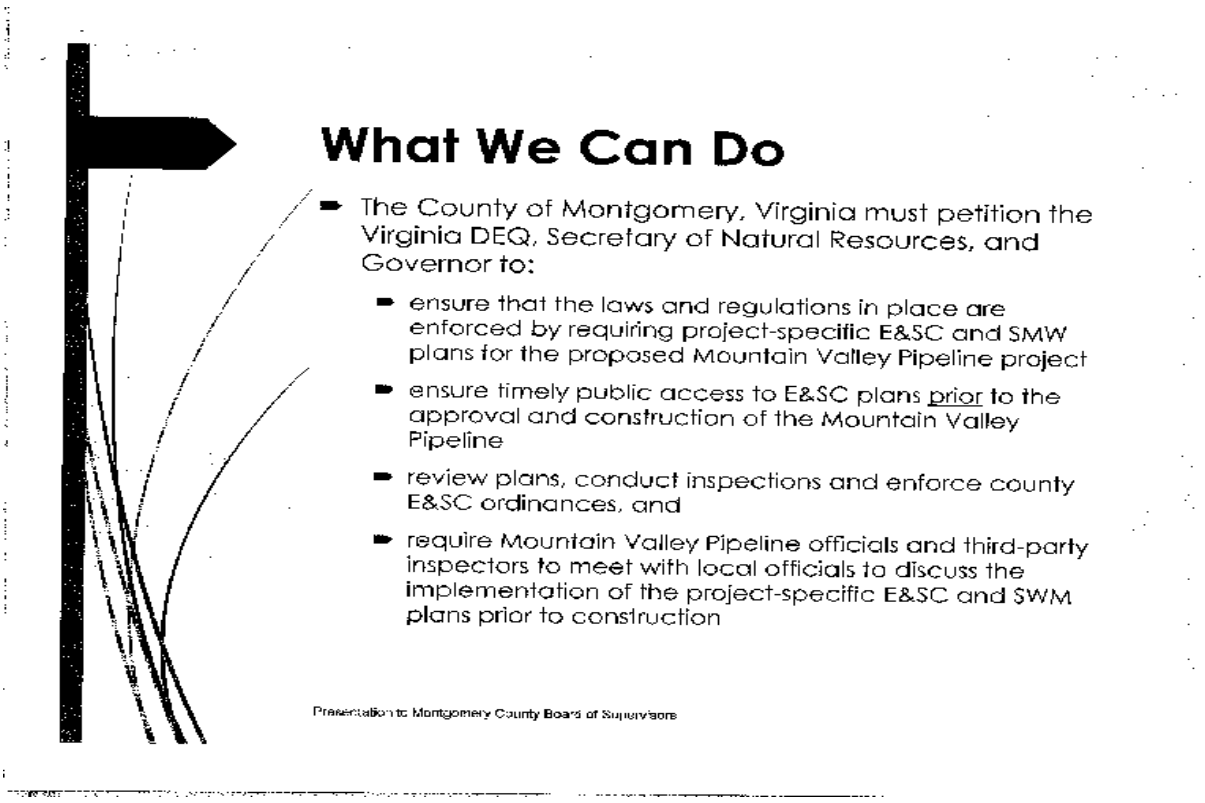
- The Columbia Gas pipeline update project in Giles County (a 12" pipeline)
- The Virginia DEQ did not review E&SC plans for the project and conducted no inspections during construction
- The project was non-compliant with a number of Virginia E&SC requirements
- A Forest Service employee described having "never seen that much sedimentation off site before"

Presentation to Montgomery County Board of Supervisors

Self-Regulation

- Although pipeline companies are required to conduct their own inspection programs, inspection reports are typically kept in onsite construction trailers where they are not available for review by the public or local government representatives.
- Mountain Valley Pipeline states that they will protect our water resources and be transparent in their actions.
  - Based on interactions and reports filed to date, we have no confidence this will be the case.
- Thus, citizens and county government will not know if there are issues until AFTER the fact.

Presentation to Montgomery County Board of Supervisors



The County Administrator reported that staff will review the resolution submitted by the Preserve the New River Valley and will report back to the Board of Supervisors.

PUBLIC HEARINGS

Proposed Amendment to Chapter 10, Entitled Zoning

An Ordinance Amending Chapter 10, Entitled Zoning of The Code of the County of Montgomery, Virginia by Amending Sections 10-25 and 10-26 Respectively by Allowing a Minimum Lot Width of Ninety Feet (90') and a Minimum Lot Width of Seventy Feet (70') when Curb and Gutter in accordance with VDOT Standards is used for Subdivisions Utilizing the Compact Development Option in Residential (R-2) and Residential (R-3) Zoning Districts.

Emily Gibson, Planning Director, provided a brief summary of the proposed zoning amendment.

At their July 15, 2015 meeting, the Planning Commission recommended approval of the ordinance amendment.

There being no speakers, the public hearing was closed.

Proposed Amendment to Chapter 10, Entitled Zoning

An Ordinance Amending Chapter 10 Entitled Zoning of The Code of the County of Montgomery, Virginia by Amending Sections 10-21(3), 10-22(3), 10-23(3), 10-24(3), 10-25(3), 10-26(3), 10-27(3), 10-28(3), 10-29(3), 10-30(3), 10-31(3), 10-32(5)(I)(B)(3), 10-32.1(6)(3), 10-33(3), 10-34(3), 10-35(3), and 10-36(3) Respectively by allowing Public Use, Public Facility as defined under Section 10-61 as a By Right Use in all of the County Zoning Districts.

The Planning Director reported the Planning Commission met on July 15, 2015 and recommended tabling the ordinance amendment to allow additional time to review the proposed amendments. Therefore, the Board of Supervisors continued the public hearing to August 24, 2015 in order to allow the Planning Commission additional time to review the request

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Linda Majors addressed her concerns regarding Mountain Valley Pipeline's alternate route 200. Ms. Majors stated that this proposed route still has the potential to impact the soil and well water as it is still located in an area with karst topography.

Diane Richardson expressed concern with a compressor station being located in Montgomery County. Ms. Richardson stated property in close proximately to a compressor station will have property values reduced, adverse impacts and safety concerns.

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

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck and carried unanimously, the Consent Agenda dated July 27, 2015 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck and carried unanimously, the minutes dated April 13, 2015 were approved.

Appropriations and Transfers

A-FY-16-19
COMMONWEALTH'S ATTORNEY
DOMESTIC VIOLENCE VICTIM GRANT

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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, 2016 for the function and in the amount as follows:

201	Commonwealth's Attorney Grants	$45,000

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

Revenue Account		
992011-424401	Domestic Violence Victim Grant	$45,000

Said resolution appropriates the Domestic Violence Victim Grant funds for FY 16.

A-FY-16-20
VICTIM WITNESS GRANT

On a motion by Mary W. Biggs, seconded by Christopher A. Tuck 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, 2016 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		
25511-424401	Victim Witness Grant	$140,985

Said resolution appropriates the Victim Witness Grant funds for FY 16.

A-FY-16-21
ECONOMIC DEVELOPMENT REIMBURSEMENT

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, 2016, for the function and in the amount as follows:

570120	Transfer to County Capital Projects	$6,761

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

451500	Undesignated Fund Balance	$6,761

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, 2016 for the function and in the amount as follows:

810	Economic Development Capital Projects	$6,761

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

451020	Transfer from General Fund	$6,761

Said resolution appropriates Undesignated Fund Balance to County Capital projects to provide funding to reimburse the Economic Development Authority (EDA) for surplus properties' expenses.

A-FY-16-22
MONTGOMERY MUSEUM AND
LYRIC THEATRE GRANT

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, 2016, for the function and in the amount as follows:

911	Montgomery Museum Grant	$2,500
	Lyric Grant	$2,500
	Total	$5,000

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

Revenue Account:

99911317-424401 State Grants	$5,000

Said resolution appropriates grant funds received for the Montgomery Museum and Lyric Theatre.

Performance Contract

R-FY-16-02
RESOLUTION ACKNOWLEDGING RECEIPT
OF THE NEW RIVER VALLEY COMMUNITY SERVICES
FY 2016 PERFORMANCE CONTRACT

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

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia acknowledges receipt of the New River Valley Community Services Performance Contract for Fiscal Year 2016 between New River Valley Community Services and the State Department of Behavioral Health and Development Services.

BE IT FURTHER RESOLVED, The Montgomery County Board of Supervisors makes no comment regarding the performance contract for the New River Valley Community Services for Fiscal Year 2016.

Appointments

R-FY-16-03
ADJUSTMENT AND APPEALS BOARD
APPOINTMENT

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **David Berry** to the **Adjustment and Appeals Board** effective July 28, 2015 and expiring July 27, 2019.

R-FY-16-04
MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD
APPOINTMENT

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Curtis O. Jones** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2015 and expiring June 30, 2019.

-FY-16-05
MONTGOMERY-FLOYD REGIONAL LIBRARY BOARD
APPOINTMENT

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Tim Thornton** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2015 and expiring June 30, 2019.

WORK SESSION – REMOVED FROM THE AGENDA

The County Administrator requested the work session on the 100 West Main Street Development be removed from the Agenda at the request of Michael Miller. Mr. Miller is still in the process of updating the information on the proposed development.

NEW BUSINESS

R-FY-16-06
RESOLUTION OF RECOGNITION
RINER RESCUE SQUAD
2015 REGIONAL OUTSTANDING EMS AGENCY AWARD

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

WHEREAS, The Riner Volunteer Rescue Squad was established as an independent rescue squad on March 15, 2011 with thirteen (13) volunteer members; and

WHEREAS, The Riner Volunteer Rescue Squad now has forty-five (45) members, including 3 EMT-Enhanced, 4 EMT-Intermediates and 2 EMT-Paramedics; and

WHEREAS, The citizens of the Riner community benefit from the knowledge, skills and dedication of the members of the Riner Volunteer Rescue Squad where they can, at any time, be called on to sacrifice their lives in the performance of their lifesaving duties; and

WHEREAS, The members of the Riner Volunteer Rescue Squad exemplify outstanding dedication and service to its community by planning for innovative training with local schools and local government agencies; and

WHEREAS, The Riner Volunteer Rescue Squad has been awarded the 2015 Regional Award for Outstanding EMS Agency by the Western Virginia Emergency Medical Services Council.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors does hereby commend and congratulate the Riner Volunteer Rescue Squad upon its 2015 Regional Award for Outstanding EMS Agency.

The vote on the forgoing resolution was as follows:

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

COUNTY ATTORNEY'S REPORT

Boundary Line Adjustment – Town of Christiansburg – The County Attorney reported that a friendly boundary line adjustment with the Town of Christiansburg is needed in order to bring a small parcel owned by Montgomery County but located in the town limits into the incorporated area. The parcel is located near the County Animal Shelter. A resolution to schedule a public hearing on the proposed boundary line adjustment will be on the Board's August 10th agenda.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following:

- Blacksburg Industrial Park – The road expansion project in the Blacksburg Industrial Park is complete. The Virginia Department of Transportation has notified the Town of Blacksburg and Montgomery County that the required investment in the project has been met by both parties, therefore no return of money will need to be paid back to VDOT.

- Announced Charlie Jewel, Economic Development Project Manager, accepted a job as the new Executive Director with the New River Valley Economic Development Alliance. A reception will be held on Thursday, July 30, 2015 from 2:00 -4:00 p.m.

- The New River Valley Rail Committee will be hosting a reception on August 20, 2015 from 5:00 -7:00 p.m. at Radford University. The reception will provide State Legislators the opportunity to update the committee on passenger rail services to the area.

- The County Administrator celebrated his 7th Anniversary as the Montgomery County Administrator. He is glad to say there have been numerous accomplishments over the past seven years.

BOARD MEMBERS REPORTS

Supervisor King expressed his appreciation to all the fire and rescue volunteers. He also expressed his appreciation to the families of the volunteers who selflessly allow their love ones to volunteer knowing it is time away from their family.

Supervisor Brown asked fellow Board members if they desire to have a work session on converting the Public Service Authority to a county department. After discussion it was the consensus of the Board to hold a work session on the issue.

Supervisor Brown asked the community to keep all fire and rescue volunteers in their prayers. There are numerous volunteers that are having health issues.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, August 10, 2015 at 6:00 p.m. The meeting adjourned at 8:10 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator