AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA HELD ON THE 8TH DAY OF JUNE, 2015 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
	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
	Doug Burton	-Director of Engineering and Regulatory Compliance
	Vickie L. Swinney	-Secretary, Board of Supervisors
ABSENT:	Matthew R. Gabriele	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

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 Closed Meeting for the purpose of discussing the following:

Section 22.2-3711 (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Mountain Valley Pipeline

The vote on the foregoing motion was as follows:

AYE	NAY	ABSEBT
Christopher A. Tuck	None	Matthew R. Gabriele
Mary W. Biggs		
Gary D. Creed		
Annette S. Perkins		
M. Todd King		
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 foregoing motion was as follow:

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

PRESENTATIONS, RECOGNITIONS AND AWARDS

Golden Halo Award

Montgomery County Sheriff Investigator Eric Snow was recognized as the recipient of the 2014 Golden Halo Award in the Law Enforcement category from the Children Trust of the Roanoke Valley Organization.

The Golden Halo Awards were created in 2008 to recognize and honor outstanding contributions to the cause of child abuse prevention, intervention and advocacy in the Roanoke Valley. Investigator Snow has demonstrated a clear and prolonged commitment to the cause of child abuse prevention, intervention and advocacy and has shown a consistent, high degree of service to his profession.

Mount Tabor Ruritan Club-50th Anniversary

The Mount Tabor Ruritan Club was chartered on July 16, 1965. The Chair congratulated the Ruritan Club for their fifty years of dedicated service to the Blacksburg and Montgomery County communities.

Virginia Department of Transportation

VDoT's Residency Administrator David Clarke provided an update on road issues and projects in Montgomery County, as follows:

Pot holes - coming out of the winter and into the spring, VDoT has been patching pot holes preparing for the overlay schedule. A lot of patching has been done in Cedar Orchard, a subdivision near Blacksburg.

Mt. Pleasant Road (SR 639) VDoT just finished a 6-year plan project which is a section of Mt. Pleasant Road that goes to the bridge to Split Rail.

Brush Creek Road (SR 617) preparing to start work on Brush Creek Road which is a revenue sharing project.

Bridge on Cannery Road (SR 773) replacing the truss bridge on Cannery Road down in Elliston which goes up Lafayette Road (SR 626) across the Roanoke River. This replaces the almost 100-year old truss bridge, and nears completion.

North Fork Road (SR 603) between Route 11 and I-81. This is going to be a long project. The road was closed in April and should be closed for almost a year for blasting and hauling of rock, and it is expected to take quite a while.

Southgate Drive interchange with 460 is currently VDoT's largest project in Montgomery County. The signal at Southgate Drive enters into Virginia Tech as well as the tie in to the corporate research center, and going along with that is the expansion of the runway at the Virginia Tech Airport and relocation of a section of the Huckleberry Trail.

Big Vein Road a private road that comes off of McCoy Road (SR 652), has been on and off the county's plan for a rural addition for several years. One of the requirements to bring the road up to VDoT standards to be accepted into the secondary road system is the site distance at its intersecting road. The county has been unable to get the right-of-way needed to improve site distance. Mr. Clarke has talked with Robert Goldstein, a citizen who lives on Big Vein Road, who had some very good suggestions about what could be done, such as taking out the curve, moving the road in the opposite direction, perhaps doing it within the right-of-way. That would require some amount of work as far as survey and preliminary design. This would be possible, but it is the county's decision on how to spend their secondary construction money. Doing such a study would give us an estimate of the cost. Cost for the study itself would be approximately $5,000. Mr. Clarke addressed the question of doing a speed study to lower the speed limit on McCoy Road. The speed limit is currently posted at 45 mph, and he doubts that a speed study would result in a recommendation for lowering it.

Ellett Road (SR 723) Supervisor Chris Tuck asked where VDoT is at on the re-paving process on Ellett Road coming up through Cambria. Mr. Clarke responded that VDoT was having a problem with some of the slope there and have been monitoring to see if they are getting any cracks on it because of it sinking a little. Right now it is not on their schedule, but they will do some patching and try to get in on next year's schedule.

Cedar Orchard Supervisor Perkins asked if there were any plans to widen the road coming out of Cedar Orchard. Mr. Clarke responded that widening the road would be a project that would need to be in the 6-year road plan. He believes the road is narrow because VDoT doesn't have very much right-of-way. Ms. Perkins stated that it presents a problem for a lot of the older citizens because it gets foggy and it is hard to negotiate the curves. Mr. Clarke will check and see how much right-of-way VDoT has on the road.

Supervisor Todd King asked about the low water bridge on Fairview Church Road and if VDoT was moving any closer to doing something about the drainage. Mr. Clarke assured Supervisor King that VDoT will keep an eye on it but isn't aware of it being scheduled for any work at the present time. Supervisor King reminded Mr. Clarke that he has previously said VDoT may put larger drains underneath the bridge.

Supervisor King also reminded Mr. Clarke about a discussion concerning the prohibition of tractor trailers on Meadow Creek Road (SR 658). Mr. Clarke explained that to completely prohibit tractor trailers from using the road requires a public hearing which the Board of Supervisors would hold and VDoT can look at a "not recommended" sign.

On Indian Valley Road where you turn off Route 8, approximately ½ mile there is a little steep hill there, and right before you get to the hill there is a 25 mph sign. Someone asked Supervisor King if the 25 mph sign could be moved to the top of the hill, because residents have blind driveways whey they're backing out, and moving the sign may slow the traffic down.

Mr. Clarke explained that when they put the sign there it must have been done as part of a study. In order to establish a speed limit a study must be completed. However, based on dense population, adjustments can sometimes be made.

Supervisor Gary Creed Signs have been put up to steer the large trucks away from North Fork Road (SR 603) at the I-81 Ironto exit, but some are still wanting to go that way. Supervisor Creed asked if there was anything else that could be done, such as extra signs, which may help. Mr. Clarke indicated that additional signs would be installed.

PUBLIC HEARINGS

Ordinance Amending Chapter 8, Article III, Division 3

An Ordinance Amending Chapter 8, Entitled Planning and Development, of the Code of the County of Montgomery, Virginia Article III, by Establishing Division 3, Entitled Illicit Discharge, by adding Section 8-90 through 8-94 making it unlawful to discharge pollutants into the County's MS4 Regulated Stormwater Collection System.

The County Administrator reminded everyone that several weeks ago Doug Burton, Director of Engineering and Regulatory Compliance, made a presentation to the Board about the proposed ordinance that was required as part of the county's move into an MS4 jurisdiction with regard to stormwater management. The proposed ordinance was reviewed with the Board at that time, and the purpose of this public hearing is to receive comments from the public.

There being no speakers either for or against the proposed ordinance, the public hearing was closed.

Disposal of County Property

The former Prices Fork Elementary School Property, located at 4237 Prices Fork Road, Blacksburg, Va. containing 8.3285 acres, Tax Parcel #52-A-50, Prices Fork Magisterial District, Parcel ID #07068

The County Attorney explained that under state law, any time the county is conveying any property they are required to hold a public hearing. This property has been under contract for some time and the county is ready to close on July 17, 2015. At that point the property will be subdivided, with the front portion being developed right away.

The former Montgomery County School Board Administration Building Property located at 200 Junkin Street, Christiansburg, Va. containing approximately 1.031 acres, Tax Parcel #'s 527-12 7,8,9; 527-12 7A; 527-12 8A in the Shawsville Magisterial District, Parcel ID #'s 070677,031579 and 200363.

The County Attorney explained that this was surplus property the School Board deeded over to the County after the School Board Administration offices moved into Building C at the Government Center. The Board authorized the County Administrator to go ahead and auction off the property, as is, and $155,000 was the high bid. Closing on the property will be at the end of this month.

There being no speakers either for or against the proposed disposal of county property, the public hearing was closed.

PUBLIC ADDRESS

Robert Goldstein-Big Vein Road Mr. Goldstein, speaking on behalf of the many citizens of Montgomery County who travel either direction on McCoy Road where it intersects with Big Vein Road, appreciates that VDoT and Montgomery County are reviewing the options that hopefully will result in a safe line of site at that hazardous intersection.

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

CONSENT AGENDA

At the request of Supervisor Todd King, the resolution to transfer Fire and Rescue Capital Reserve Fund to the Burn Building Project was removed from the Consent Agenda and listed under New Business.

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 8, 2015 was approved as amended. The vote was as follows:

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

A-FY-16-01
FISCAL YEAR 2015-2016 BUDGET APPROPRIATION
AND COMPENSATION AND CLASSIFICATION PLAN APPROVAL

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following appropriation for the fiscal year ending June 30, 2016 is approved and is hereby made effective July 1, 2015:

BE IT FURTHER RESOLVED, That the Director of Financial and Management Services is hereby authorized to make the necessary transfers between funds as required to keep expenditure accounts appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by fund, and that the Treasurer is hereby authorized to make the necessary wire transfers, as appropriate.

BE IT FURTHER RESOLVED, That the corresponding fiscal year 2015-2016 Compensation and Classification Plan is approved and is hereby made effective July 1, 2015.

		EXPENDITURE ACCOUNTS		
		TO BE APPROPRIATED		
1.	**02 GENERAL FUND**			
	100	Board of Supervisors	$	249,794
	110	County Administration		1,621,060
	120	County Attorney		270,459
	130	Financial and Management Services		1,080,643
	132	Insurance		227,962
	140	Information Technology		1,456,154
	150	Commissioner of Revenue		578,940
	152	Assessment - 100% County		374,626
	160	Treasurer		608,777
	162	Collections - 100% County		325,337
	170	Registrar		445,639
	180	Internal Services		322,072
	200	Commonwealth Attorney		1,046,846
	210	Circuit Court		176,459
	220	General District Court		21,711
	230	Juvenile and Domestic Relations Court		20,524
	240	Magistrate		5,000
	250	Circuit Court Clerk - 100% County		707,487
	310	Sheriff-Co/State Support		7,298,168
	320	Sheriff-County Support		6,951,383
	330	Fire and Rescue		1,373,461
	400	General Services		4,822,222
	410	Engineering & Regulatory Compliance		674,202
	510	Comprehensive Services Act		1,651,969
	520	Human Services		389,524
	530	Public Health		493,266
	540	Social Services		5,479,825
	700	Parks and Recreation		1,065,804
	710	Regional Library		1,931,766
	800	Planning and GIS		636,410
	810	Economic Development		379,987
	900	Revenue Refunds		175,000
	910	Other Agencies		1,664,328
	950	General Contingencies		424,000
	960	Contingencies - Special		198,937
	990	Adjustments for Internal Services		(91,700)
	TRF	Transfer to School Operating Fund		44,211,833
	TRF	Transfer to School Capital Fund		1,460,000
	TRF	Transfer to County Capital Fund		765,000
	TRF	Transfer to EDA		380,000
	TRF	Transfer to Debt Service Fund		21,527,532
		TOTAL GENERAL FUND	**$**	**113,402,407**

2.	**03**	**LAW LIBRARY FUND**		
	03	Law Library	**$**	**17,600**
3.	**09**	**SCHOOL OPERATING FUND**		
	610	Instruction		77,123,335
	620	Administration, Attendance, and Health		4,032,793
	630	Pupil Transportation		5,060,429
	640	Operations and Maintenance		13,978,679
	650	Other Non-Instructional Operations		310,519
		TOTAL SCHOOL OPERATING FUND	**$**	**100,505,755**
4.	**11**	**SCHOOL NUTRITION FUND**	**$**	**4,552,043**
5.	**12**	**COUNTY CAPITAL FUND**	**$**	**765,000**
6.	**18**	**DEBT SERVICE FUND**	**$**	**23,921,038**
7.	**19**	**SCHOOL CAPITAL FUND**	**$**	**1,681,920**
8.		**EDA INCENTIVES**	**$**	**380,000**
TOTAL EXPENDITURES			**$**	**245,225,763**
TRANSFERS BETWEEN FUNDS			**$**	**(68,974,945)**
TOTAL EXPENDITURES NET OF TRANSFERS			**$**	**176,250,818**
The source of funds for the foregoing appropriation is as follows:				
	ESTIMATED RESOURCES			
1.	**GENERAL FUND**			
	A.	REVENUE		
		General Property Taxes	$	87,144,076
		Other Local Taxes		12,260,480
		Other Undesignated Revenue		693,984
		Resources Designated by Department		13,303,867
	TOTAL GENERAL FUND RESOURCES:		**$**	**113,402,407**

2.	**LAW LIBRARY FUND**			
	A.	REVENUE	$	15,000
	B.	USE OF FUND BALANCE		2,600
	TOTAL LAW LIBRARY FUND RESOURCES		**$**	**17,600**
3.	**SCHOOL OPERATING FUND**			
	A.	REVENUE	$	56,293,922
	B.	FUND BALANCE		0
	C.	TRANSFER FROM GENERAL FUND		44,211,833
	TOTAL SCHOOL OPERATING FUND		**$**	**100,505,755**
4.	**SCHOOL NUTRITION FUND RESOURCES**		$	**4,552,043**
5.	**COUNTY CAPITAL FUND RESOURCES**		$	**765,000**
6.	**DEBT SERVICE FUND**			
	A.	INTEREST REVENUE	$	1,496,473
	B.	ENERGY BOND RECOVERED COSTS		408,660
	C.	COURTHOUSE MAINTENANCE FEES		79,982
	E.	RENTAL INCOME		186,471
	F.	TRANSFER FROM SCHOOL CAPITAL		221,920
	G.	TRANSFER FROM GENERAL FUND		21,527,532
7.	**TOTAL DEBT SERVICE FUND**		**$**	**23,921,038**
8.	**SCHOOL CAPITAL FUND**		**$**	**1,681,920**
9.	**EDA INCENTIVES**		**$**	**380,000**
TOTAL RESOURCES			**$**	**245,225,763**
TRANSFERS BETWEEN FUNDS			**$**	**(68,974,945)**
GRAND TOTAL ALL RESOURCES NET OF TRANSFERS			**$**	**176,250,818**

PROPOSED FY16 CLASSIFICATION AND COMPENSATION PLAN - FULL-TIME
COUNTY OF MONTGOMERY

Grade	Minimum	Market	Maximum	ClassTitle
UNIFIED				
105	$20,740	$26,340	$32,147	
				CUSTODIAN
107	$22,866	$29,040	$35,442	
				COOK
108	$24,009	$30,492	$37,214	
				LABORER
				SOCIAL WORK ASSISTANT I
109	$25,210	$32,016	$39,075	
				MAINTENANCE WORKER
				PUBLIC FACILITIES MAINTENANCE WORKER
				SOCIAL WORK ASSISTANT II
				UTILITY OPERATOR IV
110	$26,470	$33,617	$41,029	
				DSS AIDE
				LIBRARY SERVICE SPECIALIST
				OFFICE ASSISTANT
111	$27,794	$35,298	$43,080	
				ASSISTANT REGISTRAR
				CUSTOMER SERVICE REPRESENTATIVE
				DEPUTY COURT CLERK
				LIBRARY TECHNICIAN
				PUBLIC INFORMATION SPECIALIST
				SANITATION EQUIPMENT OPERATOR
				SENIOR OFFICE ASSISTANT
				TAX TECHNICIAN
				UTILITY EQUIPMENT OPERATOR
				UTILITY OPERATOR III
112	$29,650	$37,063	$47,441	
				ANIMAL CONTROL OFFICER
				CUSTODIAL SUPERVISOR
				DISPATCHER
				MAINTENANCE CREW LEADER
				MAINTENANCE MECHANIC/CARPENTER
				MAINTENANCE CREW LEADER - PARKS
				SENIOR DEPUTY COURT CLERK
				SENIOR TAX TECHNICIAN
113	$31,133	$38,916	$49,813	
				ELIGIBILITY WORKER
				HR TECHNICIAN
				PROGRAM ASSISTANT
				PSA CREW LEADER
				TAX SPECIALIST
				UTILITY OPERATOR II
114	$32,690	$40,862	$52,303	
				DIGITAL SERVICES SPECIALIST
				DISPATCH SUPERVISOR
				MECHANIC
115	$34,324	$42,905	$54,918	
				DEPUTY ASSISTANT REGISTRAR
				ELIGIBILITY INTAKE WORKER
				FRAUD INVESTIGATOR
				LEGAL ASSISTANT
				MULTI-MEDIA SPECIALIST

116	$36,040	$45,050	$57,664	
				COURT CLERK SUPERVISOR
				DEPUTY
				EMPLOYMENT SERVICES WORKER
				PROCUREMENT TECHNICIAN
				PSA MAINTENANCE SUPERVISOR
				SENIOR ELIGIBILITY WORKER
				SENIOR PROGRAM ASSISTANT
				FAMILY SERVICES SPECIALIST
				UTILITY OPERATOR I
				RSVP COORDINATOR
117	$37,842	$47,303	$60,548	
				ACCOUNTANT
				ASSISTANT BRANCH LIBRARY SUPERVISOR
				BENEFITS COORDINATOR
				BUILDING INSPECTOR
				COMPUTER TECHNOLOGY SPECIALIST
				LIBRARY PROGRAMS COORDINATOR
				SECRETARY TO THE BOARD
				TAX SUPERVISOR
				TECHNOLOGY SUPPORT SPECIALIST
118	$39,734	$49,668	$63,575	
				ADMINISTRATIVE MANAGER
				BRANCH LIBRARY SUPERVISOR
				CHIEF ANIMAL CONTROL OFFICER
				ELIGIBILITY SUPERVISOR
				LIBRARY ACQUISITION MANAGER
				LIBRARY BUSINESS MANAGER
				MAINTENANCE MANAGER
				MASTER DEPUTY
				RECREATION PROGRAM SUPERVISOR
119	$41,721	$52,151	$66,754	
				ASSISTANT COUNTY ASSESSOR
				ASSISTANT TO CO ADMINISTRATOR
				CHILD PROTECTIVE SERVICES WORKER
				DEPUTY - LIDS
				GIS ANALYST
				MASTER DEPUTY TREASURER
				PAYROLL SUPERVISOR
				WATER OPERATIONS SPECIALIST
120	$43,807	$54,759	$70,091	
				LIBRARY SERVICES MANAGER
				LIBRARY YOUTH SERVICES MANAGER
				PLANNER-COMPREHENSIVE AND DEVELOPMENT
				FAMILY SERVICES SUPERVISOR
121	$47,129	$57,497	$76,348	
				DEPUTY/INVESTIGATOR
				DEPUTY-EMT
				EMPLOYMENT SERVICES MANAGER
				SERGEANT
				WASTEWATER MANAGER
122	$49,485	$60,372	$80,166	
				ASSISTANT DSS DIRECTOR
				ASSISTANT GENERAL SERVICES MANAGER
				CHILD PROTECTIVE SERVICES SUPERVISOR
				LIBRARY SYSTEMS ADMINISTRATOR

PROPOSED FY16 CLASSIFICATION AND COMPENSATION PLAN - FULL-TIME
COUNTY OF MONTGOMERY

Grade	Minimum	Market	Maximum	ClassTitle
				PSA COORDINATOR
				BUSINESS AUDITOR
123	$51,959	$63,390	$84,174	
				BUILDING OFFICIAL
				HVAC TECHNICIAN
				PROJECT MANAGER - ECONOMIC DEVELOPMENT
				PSA ENGINEER
				SENIOR IT APPLICATIONS SPECIALIST
124	$54,557	$66,560	$88,383	
				CHIEF DEPUTY CLERK OF CIRCUIT COURT
				CHIEF DEPUTY COM OF REVENUE
				CHIEF DEPUTY TREASURER
				COUNTY ASSESSOR
				FINANCE MANAGER
				LIEUTENANT
				PROCUREMENT MANAGER
				SENIOR SYSTEMS ENGINEER
125	$57,285	$69,888	$92,802	
				GIS MANAGER
				PLANNING AND ZONING ADMINISTRATOR
126	$60,149	$73,382	$97,442	
				ASSISTANT COMMONWEALTH ATTORNEY
				CAPTAIN
				LEAD SYSTEMS ENGINEER
				MASTER CHIEF DEPUTY TREASURER
				WEB ARCHITECT
127	$64,209	$77,051	$105,945	
				LEAD IT APPLICATIONS SPECIALIST
128	$67,402	$80,904	$111,243	
				CHIEF DEPUTY COMMONWEALTH ATTORNEY
				CHIEF DEPUTY SHERIFF
EXECUTIVE				
223	$52,825	$63,390	$87,162	
				EMERGENCY SERVICES COORDINATOR
				HUMAN SERVICES DIRECTOR
224	$55,466	$66,560	$91,520	
				PUBLIC INFORMATION DIRECTOR
226	$61,152	$73,382	$100,900	
				BUDGET MANAGER
				GENERAL REGISTRAR
228	$67,420	$80,904	$111,243	
				COMMISSIONER OF THE REVENUE
				COUNTY TREASURER
				LIBRARY DIRECTOR
				SOCIAL SERVICES DIRECTOR
				PARKS & RECREATION DIRECTOR
229	$70,791	$84,949	$116,805	
				GENERAL SERVICES DIRECTOR
				HUMAN RESOURCE DIRECTOR
				PLANNING DIRECTOR
230	$74,330	$89,196	$122,645	
				ENGINEERING AND REGULATORY COMPLIANCE DIRECTOR
				ECONOMIC DEVELOPMENT DIRECTOR
				FINANCIAL & MANAGEMENT SERVICES DIRECTOR
				INFORMATION TECHNOLOGY DIRECTOR
235	$94,866	$113,840	$156,530	
				CLERK OF CIRCUIT COURT
				SHERIFF
				DEPUTY COUNTY ADMINISTRATOR
237	$104,590	$125,508	$172,574	
				SHERIFF - CAREER DEVELOPMENT
239	$115,311	$138,373	$190,263	
				COMMONWEALTH'S ATTORNEY

PROPOSED FY16 CLASSIFICATION AND COMPENSATION PLAN - PART-TIME
COUNTY OF MONTGOMERY

Grade	Minimum	Market	Maximum	Class Title
UNIFIED				
104PT	$8.99	$11.41	$13.92	SITE ATTENDANT
105PT	$9.44	$11.99	$14.63	ANIMAL CONTROL AIDE CUSTODIAN VAN DRIVER
107PT	$10.40	$13.21	$16.12	COOK
110PT	$12.04	$15.29	$18.67	LIBRARY SERVICE SPECIALIST
114PT	$14.88	$18.58	$23.79	DIGITAL SERVICES SPECIALIST
115PT	$15.62	$19.51	$24.98	CHILDREN'S PROGRAM SPECIALIST
116PT	$16.39	$20.49	$26.23	DEPUTY
117PT	$17.22	$21.51	$27.54	ACCOUNTANT

A-FY-15-90
ECONOMIC DEVELOPMENT REIMBURSEMENT

On a motion by Annette S. Perkins, 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 $6,044

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

451203 Undesignated Fund Balance $6,044

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 $6,044

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

451100 Transfer from General Fund $6,044

Said resolution appropriates funds to cover the costs of reimbursing the Economic Development Authority (EDA) for expenses associated with surplus properties.

A-FY-15-92
REGIONAL 911
SUPPLEMENTAL APPROPRIATION

On a motion by Annette S. Perkins, 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:

111	Regional 911 Authority	$7,200

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

Revenue Account		
419108	Recovered Costs	$7,200

Said resolution appropriates monies to cover year-end expenses for the Regional 911 Authority.

A-FY-15-93
SHERIFF
RECOVERED COSTS

On a motion by Annette S. Perkins, 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	$ 2,032
320 Sheriff County	$ 9,772
321 Sheriff Grants	$ 1,150
Total	$12,954

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

Revenue Account		
419108	Recovered Costs	$11,467
424404	Federal Confiscations	$ 337
41917	DARE	$ 1,000
424401	Project Lifesaver	$ 150
	Total	$12,954

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

A-FY-15-94
SHERIFF
OFFICE OF THE ATTORNEY GENERAL GRANT

On a motion by Annette S. Perkins, 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:

321 Sheriff Grants	$64,756

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

Revenue Account		
424401	State Grants	$64,756

Said resolution appropriates monies from a grant from the Office of the Attorney General for the purchase of non-lethal equipment.

R-FY-15-132
THE HIGHLANDS AT HUCKLEBERRY RIDGE
SUBDIVISION PLAT
TAX PARCELS 67-(12)-A, B & C

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

WHEREAS, The Highlands at Huckleberry Ridge Subdivision plat entitled "Plat Showing Right-of-Way Sight Distance, Sanitary Sewer and Waterline Easement Dedications on Tax Parcels 67-(12)-A, B & C hereby creating Blackrock Drive" ("the Highlands at Huckleberry Ridge Subdivision Plat") has been prepared by Ralph Clements, Land Surveyor, Gay and Neel, Inc., dated 4/14/15; and

WHEREAS, The Highlands at Huckleberry Ridge Subdivision Plat consisting of the dedication of right-of-way site distance, dedication of sanitary and waterline easements and creating and dedicating Blackrock Drive providing access from Merrimac Road (SR 657) in the Price's Fork Magisterial District has been found to meet the requirements of the Montgomery County Code Chapter 8, Article IV (Subdivision Ordinance).

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia does hereby approve the Highlands at Huckleberry Ridge Subdivision Plat for recordation.

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to sign said plat for recordation on behalf of the County of Montgomery, Virginia.

R-FY-15-133
DESIGNATE BRUSH CREEK ROAD (SR 614)
AS A RURAL RUSTIC ROAD

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

WHEREAS, Section 33.2-332 of the *Code of Virginia* permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, Any such road must be located in a low-density development area and have no more than 400 vehicles per day; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia ("Board") desires to consider whether Brush Creek Road (SR 617), From: Pilot Road (SR 615) To: 1.6 miles South of Pilot Road (SR 615), a distance of 1.6 miles, should be designated a Rural Rustic Road; and

WHEREAS, The Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, The Board believes that this road should be so designated due to its qualifying characteristics.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby designates Brush Creek Road (SR 617) a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, The Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

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

R-FY-15-134
COMMUNITY SERVICES BOARD
REAPPOINT MARY W. BIGGS

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Mary W. Biggs** to the **New River Valley Community Services Board** effective July 1, 2015 and expiring June 30, 2018.

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

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. 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		
Annette S. Perkins		
Gary D. Creed		
M. Todd King		
William H. Brown		

This matter was discussed at length by the Board. Supervisor Tuck said he had asked the County Attorney to draft a resolution for the Board to consider, and that a special meeting be scheduled for Monday, June 15, 2015 at 7:30 p.m. and include the resolution on the agenda, and asked that the County Attorney also provide a legal analysis on what can or cannot be done that would make a difference. This meeting would provide an opportunity for the citizens to provide input before the deadline for making comments.

It was the consensus of the Board to schedule a special meeting for Monday, June 15, 2015 at 7:30 p.m. for the purpose of holding a work session for further discussion on the MVP, and to list the proposed resolution on the agenda for the purpose of receiving citizens' comments. Staff will send notification to land owners about the meeting. The County Administrator suggested that notice of the meeting also be sent via e-mail to those groups/organizations that have shown interest in this matter. Notice will also be put on the County's web site and the government access television station. Mountain Valley Pipeline will also be notified of the upcoming meeting.

OUT OF WORK SESSION

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

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

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

NEW BUSINESS

A-FY-15-91
TRANSFER FIRE AND RESCUE
CAPITAL RESERVE FUND
TO BURN BUILDING PROJECT

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

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

FROM:

123301	Fire and Rescue Capital Reserve	($9,658)

TO:

12 570020	Transfer to County General Fund	$9,658

BE IT FURTHER RESOLVED, 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:

1111	Emergency Services Grant-Burn Building	$9,658

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

451120	Transfer from County Capital Projects	$9,658

Said resolution transfers funds from unallocated Fire and Rescue Capital funds to cover unanticipated costs associated with installation of the water line that will serve the training center in Merrimac.

The vote on the foregoing resolution was as follows:

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

R-FY-15-135
VANTAGECARE RETIREMENT HEALTH SAVINGS PLAN
AMENDMENT FOR DEFINITION OF SPOUSE

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

WHEREAS, The Employer has established and maintains a retiree health savings plan in the form of the ICMA Retirement Corporation's VantageCare Retirement Health Savings program, as amended (the "Plan"); and

WHEREAS, The assets of the Plan are held in trust for the exclusive benefit of Plan participants and their spouses and dependents, and shall not be diverted to any other purpose prior to the satisfaction of all liabilities of the Plan; and

WHEREAS, The Plan has operated in accordance with federal recognition of same-sex spouses; and

WHEREAS, An amendment to the Employer's Plan in accordance with the federal recognition of same-sex spouses is adopted to comply with Internal Revenue Service guidance issued in response to the Supreme Court's decision in United States v. Windsor.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Employer hereby amends the Plan to define the term "Spouse" as the Participant's lawful spouse as determined under the laws of the jurisdiction in which the Participant was married.

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby amends the Declaration of Trust of the Integral Part Trust and Retiree Welfare Benefits documents, as applicable, to include the federal recognition of same-sex spouses. The plan allows same-sex spouses to receive tax-free reimbursements for all same-sex marriages that are valid as of September 16, 2013, unless the employer specifies an earlier valid date.

The vote on the foregoing resolution was as follows:

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

R-FY-15-136
RESOLUTION OF RECOGNITION
MONTGOMERY COUNTY SESQUICENTENNIAL
COMMITTEE LEADERSHIP AWARD

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

WHEREAS, In 2006 the Virginia General Assembly created the Virginia Sesquicentennial of the American Civil War Commission to prepare for and commemorate the sesquicentennial of Virginia's participation in the American Civil War; and

WHEREAS, Localities throughout Virginia formed sesquicentennial committees to participate in this historic commemoration by planning events and activities that draw attention to local Civil War and emancipation history and draw visitors to local historical attractions; and

WHEREAS, The efforts of the Montgomery County Sesquicentennial Committee brought to Montgomery County the Civil War History Mobile; applied for and received grants to install five Civil War Trails markers in the New River-2 in Blacksburg Westview Cemetery & Smithfield, 1 in Radford at Glencoe, 1 in Dublin at Cleburne's Wayside, and 1 in downtown Christiansburg; reclaimed many graveyards in the county that contains Civil War veterans and actual battle deaths; hosted many lectures; living history camps; documentaries; archiving events; plays; genealogy workshops; bus/van trips and assisted Pulaski County with the 150th of the Battle of Cloyd's Mountain; and

WHEREAS, On May 25, 2015 the Virginia Sesquicentennial of the American Civil War Commission gathered at the State Capitol Building in Richmond to honor local committees and institutions instrumental in the success of the events over the past six years; and

WHEREAS, The Montgomery County Sesquicentennial Committee was presented a Commendation and a Sesquicentennial Leadership Award for planning events and activities over the past six years that drew attention to local Civil War and emancipation history.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors desires to recognize and congratulate the Montgomery County Sesquicentennial Committee for their hard work and dedication in actively contributing to the success of the 150th Anniversary of the Civil War.

The vote on the foregoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

Executive Institute course at UVa The County Administrator thanked the Board for allowing him to attend the Executive Institute course at UVa. The class was exhausting but very beneficial. There were thirty five participants from all over the United States and Canada, and the County Administrator was one of the three from Virginia.

VLGMA Board of Directors This week the County Administrator will be attending the VLGMA Board of Directors meeting on Wednesday, and then the conference on Thursday and Friday.

Joint Meeting with School Board At the last County/School Liaison meeting, the group agreed to cancel the joint meeting that is scheduled for Monday, June 29th, which is the week of the 4th of July and several people are going to be traveling that week. It was confirmed that there is a joint meeting scheduled for August 31st.

BOARD MEMBERS' REPORTS

Supervisor Todd King-County Employees Supervisor King said he wanted to thank all County employees for all they do for the citizens of Montgomery County. He wanted to acknowledge and express his appreciation for their hard work.

National Motto in Board Chambers After doing some research and talking to the County Attorney, Supervisor King reported that he would like to see the national motto "In God We Trust" hung in the Board Chambers. Some counties have already done this, including Floyd, Giles, and Roanoke. He provided a list of other counties in Virginia who have the national motto displayed in a prominent place. He asked that Board members review the information and place it on the Board's next agenda for discussion.

Supervisor Mary Biggs-Harding Avenue Trip to the Frog Pond Supervisor Biggs reported that Harding Avenue Elementary went to the frog pond the day before school was out and had a really good time. They were organized by County staff. She complimented the life guards particularly, for watching the younger children who were swimming all over the place and really enjoying themselves. It appears that the frog pond will be well used this summer.

Supervisor Annette Perkins-Ruritan Club Fish Fry Speaking to the Ruritan Club members in the audience, Supervisor Perkins thanked them for the invitation to their July 7th celebration, and reminded Board members they were invited to the fish fry on Saturday, June 13th.

VACo meeting Supervisor Perkins reminded everyone that she and Supervisor Biggs would be going to Richmond to attend a VACo committee meeting.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, June 15, 2015 at 7:30 p.m.

The meeting adjourned at 8:45 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 15TH DAY OF JUNE, 2015 AT 7:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	Matthew R. Gabriele	
	M. Todd King	
	Annette S. Perkins (arrived at 7:50 p.m.)	
	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

CALL TO ORDER

The Chair called the meeting to order.

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

INTO WORK SESSION

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

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

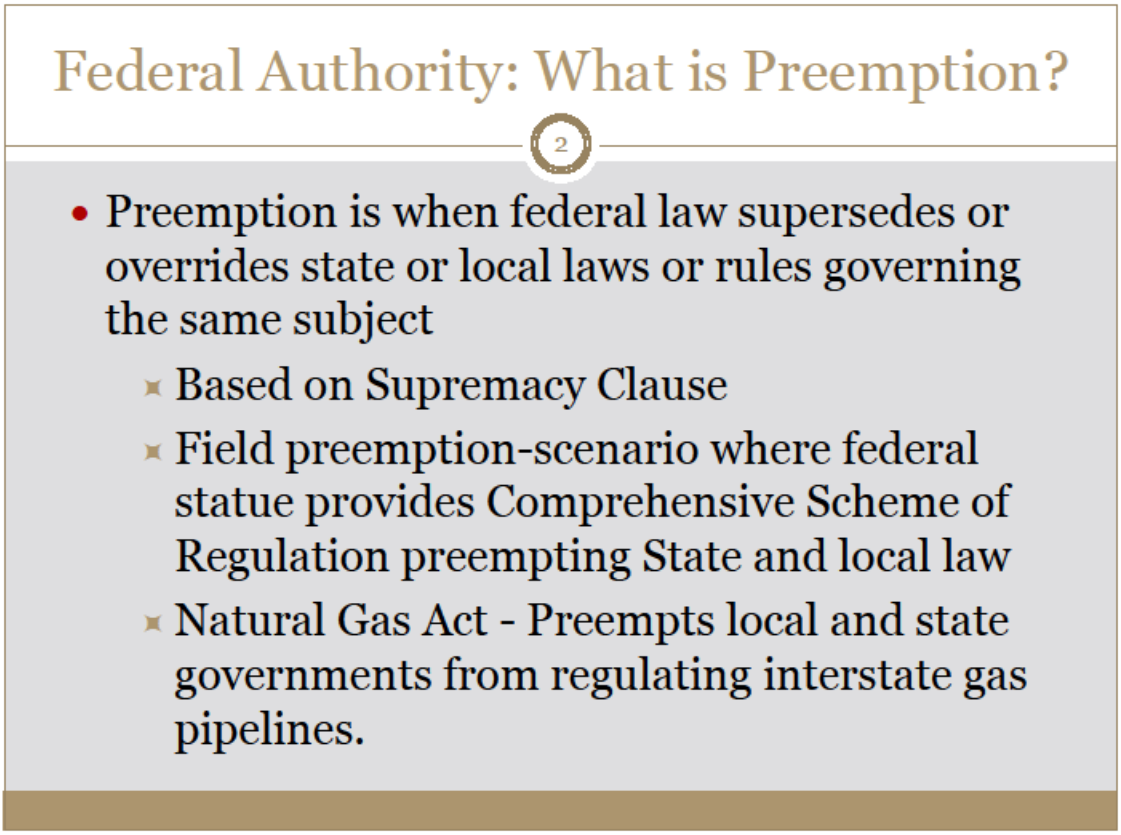
1. Mountain Valley Pipeline

The vote on the foregoing motion was as follows:

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

Mountain Valley Pipeline

The County Attorney made a presentation on the legal analysis regarding the proposed Mountain Valley Pipeline as follows:



What the Federal & State Governments Control

3

- Federal Preemption means that the Federal government has complete control over:
  - Siting (local zoning, building permits preempted, etc.)
  - Construction Standards and Inspection (State and local construction and Inspection preempted)
  - Safety Standards - Department of Transportation (State or local Regulation preempted)
  - Abandonment of the facilities
- States –not local governments- regulate
  - Waterways-Clean Water Act
  - Air- Clean Air Act

What Local Governments Control

4

- Virginia is a Dillon Rule state which means that local governments can regulate only the areas where the General Assembly has granted specific legislative authority.
- Local governments have been granted specific authority over:
  - Erosion and Sediment Control
  - Stormwater
  - Noise

FERC JURISDICTION

5

- Section 7(c) Natural Gas Act
- Requires Certificate of Public Necessity and Convenience For Construction/Operation Interstate Natural Gas Pipeline

FACTORS CONSIDERED WHEN ISSUING CERTIFICATE

6

- Project in Public Interest
- Benefits of Project Outweighing Adverse Impacts
- NEPA – Must consider project alternatives and wide range of potential environment impact
- Paper Hearings – Executive Not Legislative
- FERC required to support its decision with Substantial Evidence
- Split of Opinion between Experts – substantial evidence standard met so long as FERC adequately explains decision

FERC PROCESS

7

THREE PHASES:

- Pre-Filing Phase
- Application Phase
- Post-Certificate Phase

PRE-FILING PHASE

8

- Applicant
  - Requests Pre-Filing
  - Study Potential Project Sites
  - Identifies Stakeholders
  - Holds Open House For Stakeholders
  - Conducts pipeline route studies and Field Surveys to develop final application to Submit to FERC

PRE-FILING PHASE CONT.

9

- FERC
  - Grants Pre-Filing Process – Pre-filing Docket No.
  - FERC Staff Participate in Open House
  - Publish Notice of Intent for Preparation of EA or EIS
  - Open Scoping Period to seek Public Comment on potential environmental issues, alternatives and measures to avoid or lessen environmental impacts - June 16, 2015 Deadline
  - FERC Holds Scoping Meeting and consults with cooperating agencies on environmental issues

APPLICATION PHASE

10

- Application For Certificate Of Public Convenience and Necessity
  - Description of the Proposed Pipeline Route
  - Construction Plans – Schedules
  - Environmental Reports
  - Analyze Route Alternatives – potential environmental impact
  - FERC issues Notice of Application to Construct and Operate New Pipeline in Federal Register

APPLICATION PHASE CONT.

11

- FERC provides draft EIS – seeks public comments
- FERC holds public meetings
- FERC responds to comments on draft EIS – may revise – issues final EIS

APPLICATION PHASE

12

- Intervenor
  - Request Intervenor status within 21 days of FERC Notice of Filing of Application
  - Formal Party to Process
  - Receive Applicant filings, filings from other Intervenors and other Commission Documents
  - Have Standing to request Rehearing
  - Have standing to file Appeal of Commission Final Ruling in Federal Court

APPLICATION PHASE

13

- Environmental Review
  - Environmental Review comprises bulk of FERC review
  - Examine Environmental impact in compliance with NEPA
  - NEPA requires FERC to examine environmental impact of granting Certificate – inform public of the impact
  - Scoping Process – FERC gathers input from public and interested agencies
  - Seek comments on potential environmental effects, reasonable alternatives and measures to avoid or lessen environmental impacts
  - Comments help FERC determine environmental issues to be evaluate in EIS

APPLICATION PHASE

14

- EIS
  - Geology and Soils
  - Water Resource and Wetlands
  - Vegetation and Wildlife
  - Cultural Resources
  - Land Use, Recreation and Visual Resources
  - Socio Economics
  - Air Quality and Noise Cumulative
  - Impacts Public Safety
  - Alternatives

APPLICATION PHASE

15

- <u>FERC ROLE EIS</u>
- FERC Seeks Comments from Cooperating Agencies:
  - U.S. Dept. of Agriculture
  - Forest Service
  - Army Corp of Engineers
  - U.S. Department of Transportation
  - EPA
  - State Historic Preservation Offices
- FERC will publish and distribute a draft EIS for Public Comment

APPLICATION PHASE

16

- Will consider comments and revise document before issuing Final EIS
- FERC will consider or recommend measures to avoid, minimize or mitigate impacts on specific resources
- Will Evaluate possible alternatives to the planned project or portion of the project

APPLICATION PHASE

17

- Current Identified Environmental Issues
  - FERC Identified the following issues that deserve attention in the EIS:
    - karst terrain, sinkholes and caves
    - domestic water sources, wells, springs and water bodies
    - forested areas
    - Federally listed threatened and endangered species
    - National Register of Historic Places
    - Appalachian Trail, Blue Ridge parkway and other scenic byways
    - residential development and property values

APPLICATION PHASE

18

- FERC Identified the following issues that deserve attention in the EIS:
  - local infrastructure and emergency response systems
  - tourism and recreation
  - public safety
  - alternatives and their potential impact on a range of resources

POST CERTIFICATE PHASE

19

- FERC issues Order – **NEVER DENIED**
  states terms and conditions of approval, route authorization, construction and environmental mitigation measures
- PARTIES CAN REQUEST FERC TO REHEAR DECISION WITHIN 30 DAYS
- Parties can file APPEAL with Federal Court

POST CERTIFICATE PHASE

20

- Pipeline Project may proceed even if challenge filed in Federal Court
- Applicant submits outstanding info to satisfy conditions of Order
- FERC issues Notice to Proceed with Construction

POST CERTIFICATION PHASE

21

CONSTRUCTION:

- Finalize Project Design
- File plans, survey and info required prior to construction by FERC Order
- Complete R/W acquisition/Eminent Domain Authority granted when Certificate issued
- Pipeline construction

POST CERTIFICATE PHASE

22

- Must file weekly status reports with FERC documenting project inspection and certificate compliance
- R/W restoration
- Project in service
- Department of Transportation Office of Pipeline Safety

POST CERTIFICATE PHASE

23

PIPELINE SAFETY:

- FERC role is subordinate to the Department of Transportation
- FERC typically consults with DOT regarding compliance with standards
- Applicant required to certify to FERC "design, install, inspect, test, construct, operate, replace and maintain" in compliance with Pipeline Safety Act
- DOT inspects pipeline construction to assure compliance with Federal Regulations

POST CERTIFICATE PHASE

24

- DOT reviews Operator's prepared construction procedures to verify compliance
- DOT inspectors observe construction activities in field to verify compliance
- Once Pipeline operational – safety is regulated, maintained and enforced by DOT with safety violations reported to DOT Office of Pipeline Safety

The Chair thanked the County Attorney for his presentation and opened the floor for Board discussion.

Supervisor Tuck made a statement regarding his request to add the resolution listed under New Business to the agenda which recommends Alternative Route 100 or Alternative Route 93 as a better option than the original route for a pipeline in Montgomery County.

He commented that he has never stated he was in was in favor of the proposed pipeline. He is in opposition and does not believe the pipeline has any economic benefits for Montgomery County. He has misgivings toward Mountain Valley Pipeline as they have been evasive with their answers and information from the beginning. He wants the citizens to know that it was his best intentions by recommending a resolution to the Board of Supervisors to endorse an alternate route that would cause the least impact to the landowners and environment. He looked at each alternate being proposed and the number of residents that will affected, and based on this information, believed the use of an alternative route would be a better option.

Fellow Board members stated they could not support Supervisor Tuck's resolution. They appreciate Supervisor Tuck's recommendation and his dedication in serving the citizens of Montgomery County; however, they felt that it was not in the best interest of Montgomery County to support one route over another.

The Chair stated that since there was not enough support for the resolution listed under New Business, it would be removed from the agenda.

Supervisor Tuck asked if the Board would be willing to support a resolution that eliminates the recommendation of an alternative route number and states that if FERC approves MVP's application, then the Montgomery County Board of Supervisors requests FERC look at a route that impacts the least amount of residents.

Board members agreed that the resolution adopted on November 12, 2014 opposing the pipeline still stands. They agreed to request staff to prepare an environmental impact statement and forward to FERC.

OUT OF WORK SESSION

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

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

The vote on the foregoing motion was as follows:

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

PUBLIC ADDRESS

The following citizens provided remarks in opposition to the Mountain Valley Pipeline and to the proposed resolution listed on the Board's agenda recommending Alternative Route 100 or Alternative Route 93 as a better option than the original route in Montgomery County:

Martha Murphy
Angela Stanton
Wil Stanton
Tom Hoffman
Nan Gray
Pat Tracy
Bill Henley
Cindy Turner
Lynda Majors
Phil Pickett
Bill Murray
Elizabeth McComman
Bill Turner
Brad Klein
Mary Keffer
Bill Wolf
Roberta Bondurant
Phillis Albritton
Sandra Schlandecker
Ken Stiles
Jennifer French
Rita Klein
Laura Berry
Guy from Extension
Ray Roberts

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

NEW BUSINESS

The following resolution was removed from the agenda:

- Resolution Reiterates the Board's opposition to the proposed routes of the Mountain Valley Pipeline and recognizes if FERC approves the pipeline, Alternative Route 100 is a better option and if Alternative Route 100 is not selected the Alternative Route 93 would at least avoid pipeline construction near a number of residences in the Preston Forest neighborhood.

The Board agreed that a letter should be sent to FERC stating the Board's opposition to the proposed pipeline and environmental impact statement.

R-FY-15-137
COMMENTS TO FERC
OPPOSING THE MOUNTAIN VALLEY PIPELINE

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 requests that staff prepare environmental comments on behalf of the County of Montgomery, Virginia and submit these comments to the Federal Energy Regulatory Commission (FERC) for inclusion in the Mountain Valley Pipeline project preparation of a draft EIS scoping comment period.

The vote on the forgoing resolution was as follows:

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

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, June 22, 2015 at 6:00 p.m. The meeting adjourned at 9:55 p.m.

APPROVED_____ATTEST:_____

William H. Brown
Chair

F. Craig Meadows
County Administrator

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 22ND DAY OF JUNE, 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 (arrived at 6:07 p.m.)
	Annette S. Perkins	-Supervisors (arrived at 6:07 p.m.)
	M. Todd King	
	Christopher A. Tuck	
	Gary D. Creed	
	Matthew R. Gabriele	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Emily Gibson	-Planning Director
	Ruth Richey	-Public Information Officer
	Judy W. Kiser	-Assistant to the County Administrator
ABSENT:	Martin M. McMahon	-County Attorney

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

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

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

Section 2.2-3711 (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment, Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining, or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Adjustment and Appeals Board
2. Library Board

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

1. Future Riner Public Safety Facility
2. Former Blacksburg Middle School Property

The vote on the foregoing motion was as follows:

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

Supervisors Mary Biggs and Annette Perkins arrived at the meeting at 6:07 p.m.

OUT OF CLOSED MEETING

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

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

The vote on the foregoing motion was as follows:

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

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAY
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

Request to remove Resolution from Agenda

Supervisor Todd King asked that Item A under New Business "A Resolution Supporting the Display of the National Motto 'In God We Trust' in the Board Chambers" be removed from the agenda and listed on the Board's July 13th agenda for discussion under work session.

INVOCATION

A moment of silence was led by the Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Rezoning Request-Gary Creed
Request by Gary Creed (Agent: Balzer & Associates, Inc.) to rezone approximately 2.42 acres from Agricultural (A-1) to Residential (R-3), with possible proffered conditions, to allow the creation of seven (7) parcels. The property is located on the northeast corner of the Roanoke Road (US 11/460) and Crozier Road (SR 833) intersection, identified as Tax Parcel Nos. 059-2-1C, 1D (Parcel Nos. 035191 and 200068) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Medium Density Residential within the Elliston/Lafayette Village Plan with a proposed gross density of four (4) dwelling units per acre.

Supervisor Gary Creed recused himself from participating in the public hearing and took a seat in the audience.

Planning Director Emily Gibson reported that the Planning Commission held a public hearing on the request and felt the proposed use was consistent with Montgomery County's 2025 Comprehensive Plan, as well as the Elliston/Lafayette Village Plan, and that the proposed rezoning meets the goals and objectives of the future land use for the area. Ten citizens spoke in opposition to the request with concerns regarding the proposed density and compatibility of the proposed rezoning with the area. Other concerns were diminished views, property values, and potential storm water issues. The Planning Commission recommended approval of the request with the following proffered conditions:

1. The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available.

2. If the property is developed such that onsite stormwater management or common open space is provided to benefit the project, a homeowners association will be established to permanently maintain these common elements. Documentation establishing the homeowners association and any associated bylaws and covenants and restrictions shall be reviewed and approved by the County Attorney.

3. Any subdivided lots must front on a newly created, publicly maintained road with a single entrance on State Route 833, Crozier Road. Any new subdivision roads and/or entrances must be approved by the Virginia Department of Transportation prior to any site plan approval or subdivision plat approval.

4. There shall be no more than seven (7) single family residential lots developed on the subject parcels.

<u>Steve Semones, Balzer & Associates, agent for the applicant</u> - Mr. Semones pointed out that the applicant did not want to go to a multi-family, townhouse, or duplex type of project, but a single family residential project which was more in line with what is already on Crozier Road. Although the lots are smaller than some of the lots there now, public water and sewer is available and there would be a main extension of the sewer line that would likely come down the new public road, or along the back of the lots that back up to 460, which would be the responsibility of the applicant. Also, VDoT requires that a limited traffic study be done at the intersection. Because the traffic study has to be conducted when school is in session in order for it to be accurate it cannot be done until late in August.

<u>Steve Carter – 1320 Bronco Lane, Elliston</u> Mr. Carter spoke in opposition to the proposed rezoning, pointing out that the first paragraph of the Elliston/Lafayette Village Plan states "Montgomery County is encouraging appropriate development of the village to maintain the existing character and historical value", and lot sizes being proposed will not be in the character of the neighborhood. Nor do any of the homes in the neighborhood have a back door that goes up to the front porch of the other neighbors. Mr. Carter pointed out that there are currently 38 houses listed for sale by realtors in Montgomery County, and over 50% of those have been for sale for over two years. This proposed development is not in the best interest of the citizens of their community. Mr. Carter thanked the Board for the opportunity to speak.

<u>David Chacon 4576 Crozier Road, Elliston</u> Mr. Chacon informed the Board that he and his wife own the property at 4576 Crozier Road, and proceeded to share a bit of history about the property. The property was originally owned by his father-n-law Jack Crozier. As Mr. Crozier

was getting aged he was approached by someone he believed to be from the county, to sell that property for the purpose of building a library. According to Mr. Chacon, Mr. Crozier told his daughter that the people from the county said they were going to put a library right there and for him to sell them the property. In addition to selling them the property, he gave them $10,000 to help build that library. To this date that property was never used for a library and Mr. Chacon assumes the funds were for some other reason and not used. Eventually that property was sold to someone in the neighborhood, and then resold to Mr. Creed. Mr. Chacon said that with the property being sold, they (Chacons) had an easement right along 460 going to Crozier Road. He had copies of the deed showing his right-of-way of easement on the property and he wanted the Board to be aware of it when they made their decision. Mr. Chacon suggested that Mr. Crozier may have been taken advantage of by people that coerced him in some way to sell this property and give money away. Mr. Chacon still does not know what happened to the $10,000 that was supposed to go to Mr. Crozier's daughter. He told his daughter it was an investment for her in the county.

Larry Nowlin 8865 Roanoke Road Mr. Nowlin and his family moved here 8 years ago for the beautiful views, and they would hate to lose all that. He asked that the Board look at Mr. Chacon's deed and right-of-way; and the applicant wants to go through 3 lots that will take up his right-of-way. He asked that the Board vote no on the rezoning request.

Mike Scanborn 1330 Crozier Road, Elliston Mr. Scanborn' s issue was about access to Crozier Road. When school is in session there is a great deal of traffic right where the road is supposed to enter onto Crozier Road. He cannot imagine how this could be reconfigured to allow for folks going and coming from work from seven homes there. When there is a sporting event at the school, the road gets quite busy and people will park along the road. His other concern is the size of the homes. Although he doesn't know what the square footage of the homes will be, he can't imagine anything larger than a starter home being on such a small lot. He repeated that his concern is access to Crozier Road, and people turning left onto Crozier Road from 460, then turning left to go onto this proposed road would be a challenge, and he is opposed to the proposed rezoning.

Vickie Sanders 4600 Crozier Road Mr. and Ms. Sanders' property is adjacent to the subject property. They chose to move to their home for several reasons, including gorgeous views and wonderful neighbors. They feel honored to live in a home that was part of the original Crozier estate. Her house was physically moved across the street to make way for the new school. She thinks the proposed division of the property is ridiculous and totally out of place in their neighborhood. To make this small tract so densely populated would hurt their home values drastically. She suggested that Montgomery County needs to pay less attention to an increased tax base0 and more attention to intelligent development.

Supervisor Chris Tuck asked the applicant's agent about the 40' right-of-way that Mr. Chacon had described. Mr. Semones said they did a limited amount of research, but they went back and found that Mr. Crozier did transfer that property to them, probably for the benefit of a future library. In 2004 Mr. Crozier again subdivided the property, so you've got Mr. Chacon 's parcel and Mr. Nowlin's parcel, that was at the time that we subdivided this off for the school, there was one remaining parcel. In 2004 that was subdivided again and this made the 2 parcels Mr. Chacon and Mr. Nowlin have. At that time, there was a right-of-way that was deeded from 460 through which was then Crozier, now Chacon property, to access Mr. Nowlin's property.

When Mr. Semones looked at the initial deed from 1999 he found that it does have the language that Mr. Chacon brought up and it is very clear as to how that easement is to be used, but there

was no reference to it in the Nowlin deed. There was further subdivision done when Mr. Creed separated them into two lots, it did mention that easement but it said the status was unknown. After further research, Mr. Semones found a quick claim deed from a Rena Chacon to a David Chacon, releasing her interest in the property in 2009, so the understanding from what was read, the easement language at first said for the benefit of the spouse of Mr. Crozier or a child, which would have been his daughter. In 2009, the quick claim deed gave that property and her interest to David. At that point, that easement would have basically gone away because there was no longer a spouse or a child of Mr. Crozier that owned that property as stated in the original 1999 deed.

Chair Brown asked if anyone had information related to the property being sold so a library could be built on the site. Supervisor Biggs explained that it would have been the Library Foundation which raises funds for the library. The Deputy County Administrator stated that she remembered the Foundation coming to the Board of Supervisors at some point in time and indicated they had property for a library and were requesting capital. Staff will research the subject and report back to the Board.

The Chair announced that it would be two weeks before the Board of Supervisors takes any action as a result of the public hearing.

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

PUBLIC ADDRESS

Javad Torabinejad spoke in support of the ordinance making it unlawful to discharge pollutants into the MS4 Regulated Stormwater Collection System. He thanked Doug Burton, Director of Engineering & Regulatory Compliance, for his efforts to help solve our county's environmental problems.

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated June 22, 2015 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Minutes dated March 23, 2015 were approved.

Appropriations

A-FY-15-95
CLERK OF CIRCUIT COURT
RECOVERED COSTS – COPIER SERVICES

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:

250	Clerk of Circuit Court	$11,000

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

Revenue Account		
419108	Recovered Costs – Copier	$11,000

Said resolution appropriates recovered cost revenue to cover copier charges.

A-FY-15-96
MONTGOMERY-FLOYD REGIONAL LIBRARY
RECOVERED COSTS AND CONTRIBUTIONS

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:

710	Montgomery Library	$8,944

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

Revenue Account		
02	415207 Sale of Surplus	$ 544
027101-415211	Sale of Photocopies	$ 400
027101-416159	Town of Blacksburg Contribution	$3,000
027101-416160	Town of Christiansburg Contribution	$5,000
	Total	$8,944

Said resolution appropriates additional revenue that was collected by the Library in FY 2015.

A-FY-15-97
TREASURER
DMV STOP FEES

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

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

162 Treasurer's Collections	$4,133

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

Revenue Account	
411605 DMV Stop Fee	$4,133

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

A-FY-15-98
SCHOOL OPERATING FUND
FY15 BUDGET ADJUSTMENT

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer between categories for the School Operating Fund was granted for the fiscal year ending June 30, 2015, for the function and in the amount as follows:

FROM	
640000 Operations and Maintenance	($347,700)
TO	
670000 Debt Service	$347,700

Said resolution transfers funds between School Operating Fund to cover the debt service payment for the PEPCO energy project.

Appointments

R-FY-15-138
ADJUSTMENT AND APPEALS BOARD
REAPPOINT CHRISTOPHER C. SARVER

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Christopher C. Sarver** to the **Adjustment and Appeals Board** effective June 26, 2015 and expiring June 25, 2019.

R-FY-15-139
NEW RIVER/MOUNT ROGERS
LOCAL WORKFORCE INVESTMENT BOARD
RECOMMEND APPOINTMENT OF SHAUN RAI

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that **Shaun Rai** be appointed to the **New River/Mount Rogers Workforce Investment Board** as a business (private sector) representative for Montgomery County effective July 1, 2015 and expiring June 30, 2018.

INTO WORK SESSION

On a motion by Annette S. Perkins, seconded by M. Todd King and carried unanimously,

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

1. Review of One-Time Monies
2. Supplemental Appropriation-Schools
3. Inmate Labor Crew
4. Parental Leave

The vote on the foregoing motion was as follows:

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

Review of One-Time Monies

Deputy County Administrator Carol Edmonds reviewed the one-time monies with the Board, and a list of possible uses as follows:

REVIEW OF ONE-TIME MONIES
June 22, 2015

1

Special Contingencies:
On-going money in the Operating Budget

FY 16 Approved Budget	
Special Contingencies	59,500
Inmate Labor Crew	50,000
Wage Adjustment Poverty Level	9,500
Total	59,500

2

Undesignated Dollars-One-Time Funds: $'s remaining from June 30, 2014

Dollars	404,360
Possible Uses	
Transfer to School Capital for SES ✓	(74,700)
Burn Building Water Line ✓	(13,000)
Restore Capital Reserve for FY 16	(29,327)
Reserve for Animal Shelter ✓	(287,333)
Total expense	(404,360)
DOLLARS AVAILABLE	29,232

3

Windfall Dollars-One-Time Funds

WINDFALL DOLLARS -ONE TIME FUNDS	
Available Dollars	678,707
Possible Uses	
Library Master Plan	(35,000)
Library Drainage Repair	(15,000)
Parental Leave Reserve	(75,000)
Frog Pond Refurbishment	(250,000)
School Bus Replacements (2)	(153,707)
Technology-Schools	(150,000)
Total possible expense	(678,707)
Other items discussed	
Inmate work crew equipment	41,500

The work session also included discussion of a request from the MCPS Superintendent for $775,000 from the County to be used for capital improvements for Montgomery County Schools, as follows:

•$275,000 represents $25,000 for a state grant to match to address safety enhancements and
$250,000 for building repair and the roof maintenance plan
•$150,000 for Technology Improvement Plan Budget line to support continued improvements in hardware
•$350,000 Four (4) replacement school buses
$775,000 Total

Following discussion on the items listed above:

It was the consensus of the Board to put $35,000 in reserve for the Library Master Plan. Supervisor Tuck indicated that he would not support a resolution because he believes a master plan would be outdated by the time the Board is able to borrow more money.

It was the consensus of the Board to appropriate $153,707 for two (2) school buses using one-time funds.

It was the consensus of the Board to appropriate $150,000 of one-time funds to schools for technology.

Supervisor Chris Tuck said he wanted to vote on each of the above items individually when the appropriations come before the Board for approval. He also asked where the money was coming

from for the Inmate Labor Crew ($50,000) and the Wage Adjustment Poverty Level ($9,500) listed under Special Contingencies.

There was no consensus on the Schools' request for $775,000 to be used for capital improvements for Montgomery County Schools.

Parental Leave – there was discussion about the survey of county employees on whether they wanted parental leave, with the vast majority responding that they did not want it.

The Board took a 5-minute break at 8:53 p.m. and reconvened at 8:58 p.m.

OUT OF WORK SESSION

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

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

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

ADD TO AGENDA UNDER NEW BUSINESS-PARENTAL LEAVE

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried, Parental Leave was added to the Agenda under New Business. The vote was as follows:

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

OLD BUSINESS

ORD-FY-15-10
AN ORDINANCE AMENDING CHAPTER 8 ENTITLED PLANNING AND DEVELOPMENT OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA ARTICLE III, BY ESTABLISHING DIVISION 3 ENTITLED DISCHARGE BE ADDING SECTIONS 8-90 THROUGH 8-94 MAKING IT UNLAWFUL TO DISCHARGE POLLUTANTS INTO THE COUNTY'S MS4 REGULATED STORMWATER COLLECTION SYSTEM

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

WHEREAS, The Board of Supervisors of Montgomery County finds that the uncontrolled discharge of pollutants to its Municipal Separate Storm Sewer System (MS4) has an adverse impact on the water quality of receiving waters; and

WHEREAS, Amendments to the Federal Water Pollution Control Act, commonly known as the Clean Water Act, established the National Pollutant Discharge Elimination System (NPDES) Program, which requires permits for discharges from regulated municipal separate storm sewer systems into the waters of the United States; and

WHEREAS, The United States Environmental Protection Agency (EPA) has promulgated regulations implementing the NPDES program, and the EPA has authorized the Commonwealth of Virginia to issue NPDES permits under the Virginia Pollutant Discharge and Elimination System (VPDES) permit system; and

WHEREAS, The VPDES regulations for stormwater discharges require Montgomery County to control the contribution of pollutants to its regulated MS4 by prohibiting illicit discharges, and to inspect, monitor, and enforce the prohibitions of illicit discharges to its regulated MS4; and

WHEREAS, The Board of Supervisors hereby finds that this ordinance satisfies these regulatory requirements.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that Chapter 8, entitled Planning and Development, Article III, Division 3, entitled Illicit Discharge, Sections 8-90 through 8-94 respectively of the Code of the County of Montgomery, Virginia shall be amended and reordained as follows:

DIVISION 3 – ILLICIT DISCHARGE

Section 8-90. – Purpose and Authority

(a) Pollutants discharged from the County's municipal separate storm sewer system (MS4) have an adverse impact upon the quality of receiving waters. Stormwater, and any other materials which enter the County's MS4, travel through the system and are discharged into receiving waters with minimal or no treatment. Since pollutants entering this system come from many sources and are to date largely uncontrolled, reduction of pollutant discharges can only be achieved by a broad restriction on a variety of activities occurring throughout the County. The purpose of this division is to prevent pollutants from being discharged by the County's stormwater collection system by requiring all citizens to prevent such pollutants from initially entering the system.

(b) This division is adopted to comply with the requirements of the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems issued by the Commonwealth of Virginia and as an integral part of the County's stormwater management program.

Section 8-91. - Definitions

The following words and terms as used in this division shall have the following meanings, unless the context clearly indicates otherwise:

"Administrator" means as that term is defined under Section 8-71 of the Code of the County of Montgomery, Virginia.

"Discharge" means to dispose, deposit, spill, pour, inject, dump, pump, leak, or place by any means, or that which is disposed, deposited, spilled, poured, injected, dumped, pumped, leaked, or placed by any means.

"Illicit connection" means any connection, in any manner whatsoever, to the County's MS4 which is not authorized by applicable state law or County ordinance, and has not been approved by the County in accordance with applicable County ordinances.

"Illicit discharge" means any discharge to the County's MS4 that is not composed entirely of stormwater, except discharges pursuant to a VPDES or VSMP permit (other than the VSMP permit for discharges from the MS4), discharges resulting from firefighting activities, and discharges identified by and in compliance with 9VAC25-870-400 D 2 c (3).

"Municipal separate storm sewer" means a conveyance or system of conveyances otherwise known as a municipal separate storm sewer system or "MS4," including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains:

1. Owned or operated by a federal, state, city, town, County, district, association, or other public body, created by or pursuant to state law, having jurisdiction or delegated authority for erosion and sediment control and stormwater management, or a designated and approved management agency under § 208 of the CWA that discharges to surface waters;

2. Designed or used for collecting or conveying stormwater;

3. That is not a combined sewer; and

4. That is not part of a publicly owned treatment works.

"National Pollutant Discharge Elimination System" (NPDES) means the federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pre-treatment requirements under the Clean Water Act (CWA).

"Virginia Pollutant Discharge Elimination System" (VPDES) means the program issued by the Commonwealth of Virginia for imposing and enforcing pre-treatment requirements pursuant to the Clean Water Act (CWA).

Section 8-92. – Discharges to the Storm Sewer System

(a) It shall be unlawful and a violation of this division to allow any discharge that is not composed entirely of stormwater, except as described in subsection (d) below, that enters, or has the potential of entering, the MS4.

(b) It shall be unlawful and a violation of this division to cause or allow any illicit connection to the MS4.

(c) Illicit discharges in any amount to the County's storm sewer system, to any private stormwater conveyance system, or to any stormwater management system whether intended for water quality or water quantity control, unless the system conveys the fluids to an

appropriate water treatment facility or the discharge is permitted by a VPDES permit or by a NPDES permit include, but are not limited to:

(1) Sewage;
(2) Automotive, motor or equipment fluids;
(3) Paints and/or organic solvents;
(4) PCBs;
(5) Toxic materials;
(6) Waste disposal site leachate;
(7) Radioactive materials;
(8) Any fluid at a temperature greater than 65° celsius;
(9) Any fluid having a pH less than 5.0 or greater than 9.0;
(10) Any fluid containing more than thirty (30) milligrams per liter of total suspended solids;
(11) Any fluid containing dyes or coloring material which discolor the water more than fifty (50) American dye manufacturers institute [ADMI] units;
(12) Any fluid containing material which causes a visible film, sheen or discoloration on the water surface;
(13) Any substance which may cause or do any injury to, interfere with the proper operation of, obstruct the flow into or through, or pollute a stormwater management facility;
(14) Any commercial, industrial, or manufacturing process water, wash water, or unpermitted discharge;
(15) Any substance of non-stormwater origin unless specifically exempted from this division;
(16) Matter of any type which may:
    (i) Result in a hazard to any person, animal, property, or vegetation; or,
    (ii) Impair the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse.

(d) The following non-stormwater discharges are allowable under this division:

(1) Discharges or flows covered by a separate individual or general VPDES or VSMP permit for non-stormwater discharges;
(2) Individual non-stormwater discharges or flows that have been identified in writing by the Virginia Department of Environmental Quality as de minimis discharges that are not significant sources of pollutants to state waters and do not require a VPDES permit;
(3) Non-stormwater discharges or flows as listed in the following categories, unless they are identified by the Administrator or Virginia Water Control Board, as significant contributors of pollutants.
    (i) Water line flushing.
    (ii) Landscape irrigation and/or lawn watering.
    (iii) Diverted stream flows or uncontaminated ground water flows.
    (iv) Water from public safety activities, including, but not limited to, law enforcement and fire suppression.
    (v) Pumping or drainage of uncontaminated groundwater from potable water sources, foundation drains, basements, springs, or water from crawl spaces, or footing drains.
    (vi) Non-commercial car washing.
    (vii) Residential yard maintenance, including seasonal leaf pick-up and brush removal.
    (viii) Street washing.

(ix) Swimming pool discharges with less than one (1) parts per million [PPM] chlorine.

(x) Any activity by a governmental entity or its employees and agents in accordance with federal, state, and local regulations and standards for the maintenance or repair of drinking water reservoirs or water treatment or distribution systems.

(xi) Any activity by a governmental entity or its employees and agents in accordance with federal, state, and local regulations and standards, for the maintenance of any component of its stormwater management system.

(xii) Discharges specified in writing by the program administrator and/or his or her designee as being necessary to protect public health and safety.

(xiii) Dye testing, following notification to the program administrator.

(4) If any of the activities listed in subsection (3), above, of this section are found to be sources of pollutants to public waters, the administrator shall so notify the person performing such activities and shall order that such activities be stopped or performed in such a manner as to avoid discharge of pollutants into such waters. The failure to comply with any such order shall be unlawful and a violation of this division.

Section 8-93. – Inspections and Monitoring

(a) The Administrator shall have the authority to carry out all inspections and monitoring procedures necessary to determine compliance and/or noncompliance with this division, and to enforce the requirements of the provisions of this division, including the prohibition of illicit discharges to the storm sewer system. The administrator and/or his or her designee(s) may monitor stormwater outfalls or other components of the municipal storm sewer system as may be appropriate in the administration and enforcement of this division.

(b) The Administrator shall have the authority, at his sole discretion, to require pollution prevention plans from any person whose property discharges, or has the potential to discharge, to the MS4.

(c) The Administrator and/or his designee(s) shall have the authority to, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this division. This authority shall apply only to those properties from which a discharge enters the County's municipal separate storm sewer systems.

(d) The Administrator shall have the authority to require any person responsible for a discharge to the MS4 to document that such discharge meets and is in compliance with the requirements of this division. This includes, but is not limited to, the ability of the Administrator to require such person to provide monitoring reports, test results, and such other matters as may be deemed necessary to show that such discharge is in compliance with the requirements of this division. The cost of any required documentation shall be the responsibility of the person responsible for the discharge.

(e) The failure of any person to comply with any of the requirements of this section shall constitute a violation of this division.

Section 8-94. – Enforcement and Penalties

(a) Any person who violates any of the provisions of this division shall be guilty of a Class I misdemeanor and, upon conviction, is subject to punishment by a fine of not more than two thousand five hundred dollars ($2,500.00) per violation per day and confinement in jail for not more than twelve (12) months, either or both.

(b) Each day during which a violation of this division occurs or continues shall be deemed a

separate and distinct violation of this chapter.

(c) Any person who commits any of the acts prohibited by this chapter or violates any of the provisions of this division shall be liable to the County for all costs of testing, containment, cleanup, abatement, removal, disposal, and any other related costs or expenses that the County may incur in connection with the enforcement of this division and/or the prohibition and/or correction of a violation of this division.

(d) The Administrator may bring legal action to enjoin a violation of this division and the existence of any other remedy shall be no defense to any such action.

(e) In addition to any of the remedies set forth above, the Administrator may seek to impose, or have imposed by the appropriate authority, any of the remedies provided for by §62.1-44.15:48, Code of Virginia (1950), as amended, which are incorporated herein by reference.

(f) In any court action that may result from enforcement of this division, a judge hearing the case may direct the person responsible for the violation or the property owner to correct the violation and each day that the violation continues shall constitute a separate violation of this chapter.

(g) Any person who knowingly makes any false statements, representations, or certifications in any record, report, or other document, either filed or requested pursuant to this chapter, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required or used by the director under this chapter in monitoring discharges, shall be guilty of a violation of this division.

(h) The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one or more of the remedies set forth herein has been sought or granted.

THIS ORDINANCE SHALL BE DEEMED EFFECTIVE AS OF JULY 1, 2015.

The vote on the foregoing ordinance was as follows:

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

R-FY-15-140
RESOLUTION AUTHORIZING THE CONVEYANCE OF THE FORMER MONTGOMERY COUNTY SCHOOL ADMINISTRATION PROPERTY LOCATED AT 200 JUNKIN STREET, CHRISTIANSBURG, VIRGINIA TO TAYLOR HOLLOW MANAGEMENT, LLC

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

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia held a public hearing on June 8, 2015, in order to receive comments on the Board's intention to sell the former Montgomery County School Board Administration Building Property**,** located at 200

Junkin Street, Christiansburg, Virginia, at auction consisting of 1.031 acres, ('the Property"), identified as Tax Parcel #'s 527-12 7,8,9; 527-12 7A; 527-12 8A, Parcel ID #'s 070677, 031579 and 200363; and

WHEREAS, The Property was sold at Public Auction with Taylor Hollow Management, LLC being the last and highest bidder for the Property at the sum of One Hundred Fifty Five Thousand Dollars ($155,000); and

WHEREAS, The Board of Supervisors has accepted the highest bid and desires to convey the Property to Taylor Hollow Management, LLC.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the conveyance of the former Montgomery County School Board Administration Building Property**,** located at 200 Junkin Street, Christiansburg, Virginia consisting of 1.031 acres, Tax Parcel #'s 527-12 7,8,9; 527-12 7A; 527-12 8A, Parcel ID #'s 070677, 031579 and 200363 to the highest bidder Taylor Hollow Management, LLC for the high bid of One Hundred Fifty Five Thousand Dollars ($155,000); and

BE IT FURTHER RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby authorizes William H. Brown, Chair, to sign the Deed and any other documents necessary to convey the Property, on behalf of the County of Montgomery, Virginia.

The vote on the foregoing resolution was as follows:

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

NEW BUSINESS

R-FY-15-141
RESOLUTION SUPPORTING
RICHARDSON AMBULANCE SERVICE ESTABLISHING A
SATELLITE OFFICE IN THE UNINCORPORATED AREAS OF MONTGOMERY
COUNTY, VIRGINIA FOR THE PURPOSE OF PROVIDING
BOTH EMERGENT AND NON-EMERGENT TRANSPORTATION SERVICES

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

WHEREAS, Richardson Ambulance Service currently operates as a licensed EMS agency in Smyth County, Virginia for both emergent and non-emergent transportation services; and

WHEREAS, Richardson Ambulance Service desires to provide its services to Montgomery County, Virginia by establishing an office at 2520 Tyler Road in the unincorporated area of Montgomery County, Virginia; and

WHEREAS, Richardson Ambulance Service plans to provide both emergent and non-emergent transportation services including, but not limited to, basic transport for doctor's visits, discharges from care facilities to home and other long term care facilities; and

WHEREAS, The Commonwealth of Virginia under Virginia Administrative Code 12VAC5-31-420 requires all licensed EMS agencies to request an ordinance or resolution of support from all jurisdictions they will be operating in; and

WHEREAS, The Board of Supervisors supports Richardson Ambulance Service providing transportation service on a prearranged/scheduled ambulance service transport to and from home and hospital, hospital to hospital or home to physician office and the Board does not support Richardson Ambulance Service responding to calls for service assigned to local rescue squads by 911 radio dispatch.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby supports Richardson Ambulance Service establishing an office at 2520 Tyler Road in the unincorporated area of Montgomery County, Virginia for the intended purpose of operating as an EMS agency for both emergent and non-emergent transportation services on a prearranged/scheduled ambulance service transport to and from home and hospital, hospital to hospital or home to physician office. The Board of Supervisors does not support nor approve of Richardson Ambulance Service responding to calls for service assigned to local rescue squads by 911 radio dispatch.

The vote on the foregoing resolution was as follows:

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

R-FY-15-142
RESOLUTION TO RESERVE
$75,000 FOR A
PARENTAL LEAVE PROGRAM

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that $75,000 from undesignated fund balance be reserved for costs associated with a Parental Leave Program.

The vote on the foregoing motion was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following:

- The County closed on the former Prices Fork Elementary School property last week.
- The Junkin Street property (former MCPS administration offices) brought $155,000 at auction.
- The County Administrator will be at the NRV Alliance all day on June 23rd conducting interviews for a new Alliance Director.
- Continuing to look for a human resources director. A number of applications have been received, and hopefully another round of interviews will be done in the next two weeks.

BOARD MEMBERS' REPORTS

- Supervisor Matthew R. Gabriele will attend the MTDC (Montgomery Tourism Development Council) meeting and the EDC (Economic Development Commission) meetings on Thursday, June 25th.

- Supervisor Annette S. Perkins – In the upcoming week Supervisor Perkins will attend the MPO (Metropolitan Planning Organization) meeting, and the New River Valley Regional Commission (formerly the PDC) meeting.

- Supervisor Bill Brown – Upcoming meetings for Supervisor Brown are Chamber of Commerce, Fire and Rescue Commission, and the County/School Liaison.

ADJOURNMENT

The Chair declared the meeting adjourned to Monday, July 13, 2015 at 6:00 p.m.

The meeting adjourned at 10 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 6TH DAY OF JULY, 2015 AT 6:00 P.M. IN MULTI-PURPOSE ROOM #2, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Chair
	Mary W. Biggs	-Vice Chair
	Gary D. Creed	-Supervisors
	M. Todd King	
	Annette S. Perkins	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	Martin M. McMahon	-County Attorney
ABSENT:	Matthew R. Gabriele	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

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

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

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 Blacksburg High School Property

The vote on the forgoing motion was as follows:

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

CERTIFICATION OF CLOSED MEETING

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

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

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

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

VOTE

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

NAYS
None

ABSENT DURING VOTE
Matthew R. Gabriele

ABSENT DURING MEETING
Matthew R. Gabriele

ADJOURNMENT

The Chair declared the meeting adjourned to July 13, 2015 at 6:00 p.m. The meeting adjourned at 8:15 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator