

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator  
L. Carol Edmonds, Deputy County Administrator

DATE: January 11, 2016

**SUBJECT: AGENDA REPORT**

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**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

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

- Section 2.2-3711 (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 Charitable Foundation –Shawsville Middle School Athletic Facilities
- (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
- (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. Parks and Recreation Commission

**III. OUT OF CLOSED MEETING**

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

**IV. CERTIFICATION OF CLOSED MEETING**

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

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

**V. INVOCATION**

**VI. PLEDGE OF ALLEGIANCE**

**VII. ELECTION OF CHAIR**

**A. SUBJECT: ELECTION OF CHAIR**

**R-FY-16-  
ELECTION OF CHAIR  
CALENDAR YEAR 2016**

BE IT RESOLVED, That \_\_\_\_\_ be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2016 or until a successor is elected prior to December 31, 2016.

ISSUE/PURPOSE: The first item of business for the Board each calendar year is to elect a Chair. See TAB **A** for procedures.

**VIII. ELECTION OF VICE-CHAIR**

**A. SUBJECT: ELECTION OF VICE-CHAIR**

**R-FY-16  
ELECTION OF VICE CHAIR  
CALENDAR YEAR 2016**

BE IT RESOLVED, That \_\_\_\_\_ be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2016 or until a successor is elected prior to December 31, 2016.

ISSUE/PURPOSE: The Vice Chair is elected and term of office established by the same process as the Chair. See TAB **B** for procedures

**IX. ORGANIZATIONAL MATTERS**

**A. SUBJECT: SELECTION OF REGULAR MEETING DATES**

**R-FY-16-  
SELECTION OF REGULAR MEETING DATE**

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2016 shall be the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month. The closed session portion of the meeting shall begin at 6:00 p.m., if closed session is required, or at a time prior to or after 6:00 p.m. as notified by the County Administrator, otherwise the meeting shall begin at \_\_\_\_\_ p.m. in the Board Room of the Montgomery County Government Center, 755 Roanoke Street, Christiansburg, Virginia provided that when the regular meeting day of any month

falls upon a legal holiday, such regular meeting in such month shall be held on the following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provided that the next following regular meeting shall be a different time or place, and it shall then be the duty of the County Administrator to give timely notice thereof to all members of the Board and to inform the news media.

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

ISSUE/PURPOSE: The Board is required to assemble at an office building owned by the County or such other public place as the governing body may prescribe at regular session not less than once each month. The Montgomery County Code enables the day(s) and time to be prescribed by resolution of the Board.

Currently, meeting dates are the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month beginning at 6:00 p.m., if a closed session is required, otherwise the meetings begin at 7:15 p.m. at the Montgomery County Government Center.

Currently, should the Chairman declare that weather or other conditions are such that it is hazardous for members to attend meetings, regular meeting is continued to the following Monday.

**B. SUBJECT: RULES OF ORDER AND PARLIAMENTARY PROCEDURES**

**R-FY-16  
RULES OF ORDER AND  
PARLIAMENTARY PROCEDURES**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2016.

SEE TAB C for a copy of the Rules of Order and Parliamentary Procedures.

ISSUE/PURPOSE: Establish Rules of Order and Parliamentary Procedures for the Board of Supervisors for calendar year 2016.

C. SUBJECT: CODE OF ETHICS AND STANDARDS OF CONDUCT

R-FY-16  
CODE OF ETHICS AND  
STANDARDS OF CONDUCT

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2016.

SEE TAB D for a copy of the Code of Ethics and Standards of Conduct.

ISSUE/PURPOSE: Adopt Code of Ethics and Standards of Conduct for the Board of Supervisors for calendar year 2016.

X. PRESENTATIONS, RECOGNITIONS, AND AWARDS

A. Virginia Department of Transportation

David Clarke, VDOT, will provide an update on road projects/issues in Montgomery County.

B. Parents Advocacy and Advisory Council of Southwest Virginia

Teresa Barringer will make a presentation on the Parents Advocacy and Advisory Council of Southwest Virginia (PACC). ( TAB E )

XI. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearing was advertised pursuant to law in the New River Valley Section of the Roanoke Times on January 1 and January 4, 2016:

1. Fiscal Year 2016-2017 County Budget

**The purpose of this public hearing is to gather citizen comments on the upcoming 2016-2017 fiscal year budget.**

1. Action from Public Hearings

XII. PUBLIC ADDRESS

XIII. ADDENDUM

**XIV. CONSENT AGENDA**

**XV. NEW BUSINESS**

**A. SUBJECT: SECOND AMENDMENT TO LEASE AGREEMENT – FREE CLINIC OF THE NEW RIVER VALLEY**

**R-FY-16-  
RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO  
THE LEASE AGREEMENT DATED OCTOBER 14, 2002 BY AND BETWEEN  
THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY, VIRGINIA  
AND THE FREE CLINIC OF THE NEW RIVER VALLEY**

WHEREAS, The Board of Supervisors of Montgomery County, Virginia (hereinafter the “County”) and the Free Clinic of the New River Valley, Inc. (hereinafter referred to as “the Free Clinic”) have entered into a Lease Agreement dated October 14, 2002, as amended by the First Amendment to the Lease dated May 9, 2003, whereby the Free Clinic provides health services to low and moderate income persons within the New River Valley at the County owned office building located at 215 Roanoke Street, Christiansburg, Virginia (“the Leased Premises”); and

WHEREAS, The Free Clinic was recently awarded a Health Infrastructure Investment Program Grant totaling One Million Dollars (\$1,000,000) in federal funds from the Health Resources and Services Administration (“HRSA”) to provide renovations and expansion of services at the Leased Premises; and

WHEREAS, As a condition of receiving the HRSA Grant the County and the Free Clinic agree to amend the Lease Agreement by adding five additional years to the Term of Lease so that the Lease will expire in 2027 and include additional provisions whereby HRSA is notified by the County of any default by the Free Clinic and HRSA is given the opportunity to remedy the default or designate a new entity to replace the Free Clinic subject to the County’s approval for the balance of the Lease Term.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby approves and agree to enter into the Second Amendment to the Lease Agreement dated January 11, 2016, with the Free Clinic, the Second Amendment to the Lease Agreement being attached and hereby made a part of this Resolution; and

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Board hereby authorizes the Chair of the Board of Supervisors to execute the Second Amendment to the Lease Agreement on behalf of the County.

ISSUE/PURPOSE: Second Amendment to the Lease Agreement with the Free Clinic. See TAB G for a copy of the Seconded Amendment to the Lease Agreement.

**B. SUBJECT: BOARD OF SUPERVISORS  
ANNUAL APPOINTMENTS TO BOARDS  
AND COMMISSIONS FOR 2016**

**R-FY-16-  
BOARD OF SUPERVISORS ANNUAL APPOINTMENTS TO  
BOARDS AND COMMISSIONS FOR 2015**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2016 and expiring December 31, 2016:

<u>Board/Commission</u>	<u>Supervisor</u>
AFD Advisory Board	_____
Chamber of Commerce Liaison	_____ (Chair or Designee) _____ (Vice-Chair or Designee)
County/School Liaison	_____ (County Administrator) _____ (Chair)
Economic Development Alliance (NRV)	_____ (County Administrator) _____ (Chair or Designee )
Economic Development Commission (Montgomery Regional)	_____
Fairview District Home Board	_____
Fairview Home, Inc. Board of Directors	_____ (County Admin/Designee)
Legislative Liaison	_____
Library Board Liaison	_____
Metropolitan Planning Organization (MPO)	_____ (Board Member) _____ (Alternate) _____ (County Administrator)
Montgomery County Improvement Council (MCIC)	_____
Parks & Recreation Commission Liaison	_____

Planning Commission Liaison	_____	(Alternate)
Road Viewers Board	_____	(All Board Members)
School Liaison	_____	
Transportation Safety Commission	_____	
Virginia Tech Liaison	_____	(County Administrator)

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

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

JUSTIFICATION: See TAB **H** for a copy of last year’s appointments.

All boards/commissions listed above are annual appointments.

**Any boards/commissions not listed in the above resolution are not annual appointments.** Community Services Board, Fire and Rescue Commission, MBC Development Corporation, Workforce Investment Consortium Board and Planning District Commission are 3-year appointments. Pepper’s Ferry Regional Wastewater Treatment Authority, Social Services Board, Virginia’s First Regional Industrial Facility Authority, and Virginia Tech/Montgomery Regional Airport Authority are 4-year appointments. The Montgomery Tourism Development Council is a 2-year appointment.

**C. SUBJECT: WESTERN VIRGINIA REGIONAL JAIL  
AUTHORITY – APPOINTMENTS FOR 2016**

**R-FY-16-  
WESTERN VIRGINIA REGIONAL JAIL  
AUTHORITY-APPOINTMENTS FOR 2016**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints/reappoints the following individuals to the Western Virginia Regional Jail Authority effective January 1, 2016 and expiring December 31, 2016.

\_\_\_\_\_, Board of Supervisors \_\_\_\_\_ (alternate)

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.

ISSUE/PURPOSE: Appoint members to the Western Virginia Regional Jail Authority for 2016.

**D. SUBJECT: FIRE AND RESCUE COMMISSION**

**R-FY-16-  
APPOINTMENT  
FIRE AND RESCUE COMMISSION**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints \_\_\_\_\_ as the Board of Supervisors representative on the **Fire and Rescue Commission** to fill the unexpired term of William H. Brown, effective January 1, 2016 and expiring May 27, 2017.

Said appointment fills the unexpired term of Supervisor William H. Brown, whose term on the Fire and Rescue Commission corresponded with his elected term which expired on December 31, 2015.

ISSUE/PURPOSE: Appoint a member of the BoS to the Fire and Rescue Commission.

JUSTIFICATION: It is the Board's policy that the expiration of a Board of Supervisor's term in office constitutes a voluntary resignation from any board/commission/authority appointment as a representative of Montgomery County. Supervisor Brown did not seek re-election when his term on the BoS expired on December 31, 2015.

**E. SUBJECT: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) CONSORTIUM BOARD**

**R-FY-16-  
APPOINTMENT  
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
CONSORTIUM BOARD**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints \_\_\_\_\_ to the **New River/Mount Rogers Workforce Innovation and Opportunity Act Consortium Board** and appoints \_\_\_\_\_ as his/her alternate effective January 1, 2016 and expiring December 31, 2019.

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.

BE IT FURTHER RESOLVED, That employees appointed to boards/commissions/authorities as a representative for Montgomery County, such appointment is contingent upon their continued employment with the County and that any such termination or resignation from employment would also constitute a voluntary resignation from such board/commission/authority.

**ISSUE/PURPOSE:** Appoint a member of the Board of Supervisors, and an alternate, to the Workforce Innovation and Opportunity Act (WIOA) Consortium Board.

**JUSTIFICATION:** The WIOA Consortium Board is made up of the counties of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington, and Wythe; and the cities of Bristol, Galax, and Radford. Each member jurisdiction appoints a member of the governing body of the member jurisdiction, or its chief administrative officer. In the past, the BoS Chair has been appointed to the WIOA, and the County Administrator has been appointed as the alternate.

Supervisor Bill Brown's term on the Consortium Board expired on December 31, 2015.

At the request of the Consortium Board Chair, these appointments are made to run with the elected official's term of office. See TAB I for a copy of the letter from the Consortium Board Chair.

**F. SUBJECT: RESOLUTION TO AUTHORIZE MONETARY SUPPORT FOR THE DIALOGUE ON RACE ANNUAL EVENT**

**R-FY-16-  
RESOLUTION TO AUTHORIZE MONETARY SUPPORT  
FOR THE DIALOGUE ON RACE ANNUAL EVENT**

WHEREAS, The Dialogue on Race is an annual event to promote the discussion of issues relating to diversity and race relations in Montgomery County; and

WHEREAS, The Board of Supervisors has been asked to support this event and to contribute \$1,500 toward the costs of the Dialogue on Race annual event; and

WHEREAS, Monies are available within the Board of Supervisors annual budget to fund this request.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board hereby approves \$1,500 to support the Dialogue on Race event to be funded through the Board's current operating budget.

ISSUE/PURPOSE: Approve Dialogue on Race funds.

JUSTIFICATION: The Board of Supervisors received a request to support the Dialogue on Race annual event in the amount of \$1,500. This resolution authorizes funding for this request from the Board of Supervisors operating budget.

**XVI. COUNTY ATTORNEY'S REPORT**

**XVII. COUNTY ADMINISTRATOR'S REPORT**

## **XVIII. BOARD MEMBERS' REPORT**

1. Supervisor Creed
2. Supervisor King
3. Supervisor Biggs
4. Supervisor Perkins
5. Supervisor Sheppard
6. Supervisor DeMotts
7. Supervisor Tuck

## **XIX. OTHER BUSINESS**

## **XX. ADJOURNMENT**

### **FUTURE MEETINGS**

Adjourned Meeting  
Monday, January 25, 2016  
6:00 p.m. – Closed Meeting Items  
7:15 Regular Agenda

Special Meeting  
Friday, February 5, 2016 - Time TBD  
Saturday, February 6, 2016 - Time TBD

Regular Meeting  
Monday, February 8, 2016  
6:00 p.m. – Closed Meeting Items  
7:15 Regular Agenda