AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14th DAY OF DECEMBER, 2015 AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

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

PRESENTATIONS, RECOGNITIONS AND AWARDS

Resolution of Appreciation – James T. Whitt
The Board recognized James "Tommy" Whitt for serving in local law enforcement for 39 years and as the Sheriff for Montgomery County for twelve years, 2004-2015. A framed resolution was presented to Sheriff Whitt.

Recognize County Retirees

The Board recognized the following county employees who retired:

George Reed	Sheriff's Department	32 years
Clarence Wood	Sheriff's Department	29 years
Rita Sullivan	Finance Department	27 years
Glenna Turner	Finance Department	36 years

Virginia Department of Transportation

David Clarke, VDOT, provided an update on road projects/issues in Montgomery County as follows:

- Still cleaning up from the flooding through-out the County, which has delayed other maintenance projects. VDOT had to replace piping at Eagle Nest Road which had completely caved in.
- Piney Woods Road (SR 600) – on scheduled to be completed in August 2016.
- Park & Ride Lot in Christiansburg – Invitation for Bids (IFB) are being accepted now for the construction of the permanent Park & Ride lot with an estimated construction start date of March 2016.
- Sydney Church Road – the design is expected to be completed by the Summer of 2016 and construction work to begin Spring 2017.
- Alleghany Springs Road/US 460 Intersection- Mr. Clarke reported that VDOT did look at a larger corridor study in their long-term planning and had not focused on one particular study for this intersection. VDOT will look into a safety study for this intersection and will keep the Board updated.
- I-81, Exit 114 –Bridge Replacement. The primary purpose of this project is to replace the two Interstate 81 bridges over Route 8 with wider bridges that provide increased vertical clearance. To replace these bridges, mainline I-81 would be realigned, the exit 114 ramps modified and the grade changed at the bridges approaches. Improvements to Route 8 as part of the project could include new curb and gutter and a shared-use path on the north side. Concepts being considered to reconfigure the I-81 exit 114 interchange include a teardrop roundabout diamond, a diverging diamond and a conventional diamond with signalized ramp intersections.

- I-81 Northbound New River Bridge/Route 232 Bridge Replacement – Advertisement for construction Summer 2016.

- Speed studies for Rt. 114 near Belview area and Preston Forest are not back yet.

- Stroubles Creek Road near Coal Bank Hollow: Virginia Tech has requested to close the road at the end of state maintenance. Closing this section of road would cut off the turn-around. VDOT is working with Virginia Tech on a solution.

Board of Supervisors Road Concerns:

Supervisor Creed reported on the following:

- Willis Hollow Road: Supervisor Creed received a letter asking VDOT to grade their road right after each rain as the road washes out after each rainfall. School Bus drivers have expressed their concern with how the road washes out and is unsafe for the buses.
- Pine Hollow Road – John Worrell has requested VDOT maintain the section of road that is in the County. The majority of the road is in the Town of Christiansburg but they do not maintain the entire road.
- Roanoke Road/US 460 near Hales Restaurant: Supervisor Creed asked VDOT to look at the shoulder of the road near Hales Restaurant as it has deteriorated and is unsafe.

Supervisor King reported on the following:

- He thanked VDOT for working on all the roads in his District that were impacted by the recent floods.
- Route 8 Speed Study – Supervisor King requested an update on the speed study requested on Route 8 near the golf course.

PUBLIC HEARINGS

Rezoning Request – Robert & Charlotte Apgar -**Request by Robert & Charlotte Apgar (Agent: JMB Investment Company LLC) to rezone a total of 1.492 acres with approximately 0.21 acres from General Business (GB) to Agricultural (A1) and 1.28 acres from General Business (GB) to General Business (GB),** with revised proffered conditions, to allow a retail establishment. The property is located at **the Northwestern intersection of Green Hill Lane (Rte. 834) and Roanoke Rd (Rte. 11/460)**; identified as a portion of Tax Parcel No. 47-A-32, (Parcel No. 000839) 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 Planned Light Industrial/Commercial within the Lafayette Route 11/460 Corridor Plan.

Emily Gibson, Planning Director, summarized the request. The applicant is requesting the rezoning to allow a retail establishment at the site. A General Dollar store is being proposed on 1.28 acres with the remaining .21 acres to be returned to A1 zoning. Ms. Gibson stated the property qualifies for rezoning and is consistent with the County's 2025 Comprehensive Plan.

At their December 9, 2015 meeting, the Planning Commission recommended approval of the request. Ms. Gibson stated Aaron Dickerson, JMB Investment Company, was available to answer any questions the Board of Supervisors may have on the rezoning request and development for a Dollar General store.

There being no speakers, the public hearing was closed.

Rezoning Request – Montgomery County Board of Supervisors -**Request by Montgomery County Board of Supervisors to rezone approximately 4.878 acres from Conservation (C1) and Manufacturing Light (ML) to Agricultural (A1), to incorporate the property into the existing Agricultural (A1) zoning district.** The property is located at **480 Cinnabar Rd**; identified as tax map nos. 67-A-234, 67-A-161A (Parcel No. 035206, 034291) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Rural in the 2025 Comprehensive Plan.

Emily Gibson, Planning Director, summarized the rezoning request. The request composes rezoning 4.78 acres from Conservation and Manufacturing Light to Agricultural for the purpose of constructing the new Animal Care and Adoption Center.

At their December 9, 2015 meeting, the Planning Commission recommended approval of the request. Commissioners felt the proposed use was consistent with the Montgomery County 2025 Comprehensive Plan and meets the goals and objectives of the future land use for the area.

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

Tim Wimmer addressed the Board about the need for a signal light at the intersection of US 460 and Alleghany Springs Road. Mr. Wimmer submitted a petition with 1,119 signatures requesting the following:

> "For a stoplight or caution light at the intersection of Alleghany Springs Road and US 460 (Roanoke Road). The volume of traffic has increased in this intersection because of the Dollar General store and the number of clients that use the Waldron Wellness Center. Numerous accidents are occurring more frequently at this intersection. We are asking for a new study to be done to ascertain if this intersection warrant a stoplight or caution light."

Mr. Wimmer asked the Board for their support in this request and thanked them for their time.

Marshall Branscome addressed his concerns about the request by Virginia Tech to the Virginia Department of Transportation to close a section of Stroubles Creek Road thus creating a no-turn around. Mr. Branscome reported he received a call from the Montgomery County Public Schools that the school bus will no longer pick up the children because there no longer will be a turn-around for the bus.

The County Administrator informed Mr. Branscome that the County is aware of the issue. Virginia Tech and VDOT are meeting to come up with a solution.

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by M. Todd King and carried unanimously, the Consent Agenda datedDecember 14, 2015 was approved. The vote 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	

A-FY-16-53
CLERK OF CIRCUIT COURT
TECHNOLOGY TRUST FUND

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

251	Clerk of Circuit Court	$22,500

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

Revenue Account	
423100 Shared Expenses	$22,500

Said resolution appropriates Technology Trust fund monies to cover information technology support.

A-FY-16-54
BURN BUILDING DONATION

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

BE IT RESOLVED, By the Montgomery County Board of Supervisors that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2016, for the function and in the amount as follows:

330 Fire and Rescue	$5,560

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

Revenue Account	
419108 Recovered Costs	$5,560

Said resolution appropriates donations from a fund raiser to support fire training center operations.

R-FY-16-49
DESIGNATION OF RURAL RUSTIC ROAD
BONER'S RUN ROAD (SR 609)

On a motion by Matthew R. Gabriele, seconded by M. Todd King 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 1,500 vehicles per day; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia ("Board") desires to consider whether Route 609 Boner's Run Road, From: 0.5 mi east of US 11 To: 1.15 mi east of US 11 should be designated a Rural Rustic Road; and

WHEREAS, The Board is unaware of 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; and

WHEREAS, This road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby designates Boner's Run Road (SR 609) 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-16-50
DESIGNATION OF RURAL RUSTIC ROAD
BLUE SPRINGS ROAD (SR 710)

On a motion by Matthew R. Gabriele, seconded by M. Todd King 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 1,500 vehicles per day; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia ("Board") desires to consider whether Route 710 Blue Springs Road, From: 0.3 mi south of SR 620 To: 0.48 mi south of SR 620 should be designated a Rural Rustic Road; and

WHEREAS, The Board is unaware of 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; and

WHEREAS, This road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE**,** BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby designates Blue Springs Road (SR 710) 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-16-51
NEW RIVER-HIGHLANDS RESOURCE CONSERVATION
AND DEVELOPMENT COUNCIL (RC&D)
REAPPOINT PLANNING DIRECTOR

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints the **Montgomery County Planning Director, or designee,** as Montgomery County's representative to the **New River-Highlands Resource**

Conservation and Development Council (RC&D) effective January 1, 2016 and expiring December 31, 2016.

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.

R-FY-16-52
PEPPER'S FERRY REGIONAL WASTEWATER TREATMENT AUTORITY
REAPPOINT ANNETTE S. PERKINS

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints **Annette S. Perkins** to the **Pepper's Ferry Regional Wastewater Treatment Authority** 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.

R-FY-16-53
SOCIAL SERVICES BOARD-REAPPOINT
M. TODD KING

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints **M. Todd King** to the **Social Services Board** 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.

R-FY-16- 54
WESTERN VIRGINIA REGIONAL JAIL AUTHORITY
REAPPOINT F. CRAIG MEADOWS AND
L. CAROL EDMONDS AS HIS ALTERNATE

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby reappoints the following individuals to the **Western Virginia Regional Jail Authority** effective January 1, 2016 and expiring December 31, 2016:

F. Craig Meadows, Staff Member
L. Carol Edmonds (alternate)

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

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

OLD BUSINESS

ORD-FY-16-07
AN ORDINANCE AMENDING CHAPTER 2, ENTITLED ADMINISTRATION, OF THE CODE OF THE COUNTY OF MONTGOMERY, VIRGINIA BY ADDING SECTION 2-32.1 TO ESTABLISH THE PRORATION OF TANGIBLE PERSONAL PROPERTY TAX ON MOTOR VEHICLES, TRAILERS, SEMI- TRAILERS AND BOATS

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

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia, that Chapter 2, entitled Administration of the Code of the County of Montgomery, Virginia, shall be amended and reordained by adding Section 2-32.1 as follows:

Sec. 2-32.1 Personal Property Tax on Motor Vehicles, Trailers and Boats – Proration

(a) There shall be a tangible personal property tax at the rate established each year by the Board of Supervisors on motor vehicles, trailers, semi-trailers and boats ("taxable property") which have a situs within the County on January First of each year and which acquire a situs within the County on or after January Second, 2016 and all years thereafter. When taxable property acquires a situs within the County on or after January

Second, the personal property tax for that year shall be prorated on a monthly basis. When taxable property with situs in the County is transferred to a new Owner, personal property tax will be assessed to the new Owner prorated on a monthly basis. When taxable property with a situs in the County is transferred to a new Owner, personal property tax will be assessed to the new Owner prorated on a monthly basis for the portion of the tax year during which the new owner owns the taxable property. For purposes of proration, a period of more than one-half (½) of a month shall be counted as a full month and a period of less than one-half (½) of a month shall not be counted. All taxable property shall be assessed as of January First of each year. When any person, after January First, acquiring any taxable property within the County, the taxes shall be assessed on such taxable property for the portion of the tax year during which the new Owner owns the taxable property has its situs in the County. The tax shall be due on December fifth or within thirty (30) days after presentation or mailing of the bill from the Treasurer, whichever is later.

(b) When any taxable property loses its situs within the County or its title is transferred, the taxpayer shall be relieved from personal property tax and receive a refund for personal property tax already paid prorated on a monthly basis, upon application to the Commissioner of the Revenue; provided that application is made within three (3) years from the last day of the tax year during which the taxable personal property lost situs or had its title transferred. No refund of less than five dollars ($5.00) shall be issued to a taxpayer, unless specifically requested by the taxpayer. No refund shall be made if the taxable property acquires a situs within the Commonwealth in a non-pro-rating locality. When any taxable property loses its situs within the County and acquires a situs within another state, the taxpayer shall not be entitled to a refund except upon a showing of sufficient evidence that the taxpayer has been assessed and has paid taxes on such taxable property for the remainder of the tax year to such state.

(c) An exemption from this tax and any interest or penalties arising therefrom shall be granted for any tax shown or portion thereof during which the property was legally assessed by another jurisdiction and that such tax on the assessed property was paid.

(d) Any person who moves from a non-prorating locality to the County after January First shall be entitled to a personal property tax credit for the remainder of the year for each motor vehicle on which he or she paid personal property taxes to a non-proration locality. If the Owner replaces for any reason the original vehicle upon which taxes are due to the non-proration locality for the same tax, the County shall provide a credit against the total tax due on the replacement vehicle in an amount equal to the tax paid to the non-prorating locality for the period of time commencing with the disposition of the original vehicle and continuing through the close of the tax year in which the Owner incurred tax liability to the non-prorating locality for the original vehicle.

(e) The County Treasurer may apply any refunds under this section to any delinquent accounts owed by the taxpayer. In addition, a refund may be credited against the tax due on any other motor vehicle, trailer, semi-trailer or boat owned by the taxpayer during the same year.

This Ordinance shall go into effect on January 1, 2016.

The vote on the forgoing ordinance was as follows:

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

ORD-FY-16-08
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 0.21 ACRES FROM GENERAL BUSINESS (GB) TO AGRICULTURAL (A1) AND 1.28 ACRES FROM GENERAL BUSINESS (GB) CONDITIONAL TO GENERAL BUSINESS (GB) CONDITIONAL WITH REVISED CONDITIONS IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C) LOCATED AT 2221 GREEN HILL LANE, IDENTIFIED FURTHER AS TAX PARCEL NO. 047-A-32, PARCEL ID. NUMBER 000839
ROBERT & CHARLOTTE APGAR

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning request is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone approximately 1.492 acres with approximately 0.21 acres from General Business (GB) to Agricultural (A1) and 1.28 acres from General Business (GB), conditional to General Business (GB) conditional to revise the current proffered conditions to allow a retail establishment, with the following proffered conditions:

1) The property shall be developed in general conformance with the conceptual plan by Hurt & Proffitt dated 11/30/2015 and on file in the office of Montgomery County Planning & GIS.
2) The site will be developed to be served by Montgomery County PSA for water and shall be on a private septic system until such time as a connection to PSA sewer is feasible.
3) A monument sign will be installed.
4) A wooden dumpster screen, or similar, will be provided.
5) A combination of wood screening and landscaping will be used on the north property boundary abutting Mr. Apgar's residence and along the west property boundary abutting the Moores Chapel property. Landscaping per the Zoning Ordinance requirements will be utilized along the other two property boundaries.
6) A varying width, 10' maximum, asphalt shared use path, and associated landscaping, consistent with the Village Transportation Links Plan and the Lafayette Route 11/460 Corridor Plan will be installed from the pavement edge of Green Hill Lane along the south property line paralleling Route 460 to the western boundary line, inside a dedicated public

easement.

7) Architectural elevations are proffered per the attached design labeled A02 Elevations/Exterior Finish Schedule and dated 7/20/15.
8) The property will be subdivided along the zoning line based on the zoning for this application.
9) A new left turn lane on route 11/460 NBL, and a median realignment with Green Hill Lane, will be constructed as part of the project in accordance with VDOT Road and Bridge Standards and Specifications, to provide safer vehicular access to Green Hill Lane, not only for the proposed business but also the adjoining land owners. The turn lane and median realignment will be constructed or a surety covering the cost of the construction will be issued to the County or VDOT prior to a certificate of occupancy being issued.

The subject parcel is located at 2221 Green Hill Lane; identified as Tax Parcel No. 047-A-32, (Parcel ID Nos. 000839) 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 Planned Light Industrial/Commercial within the Lafayette Route 11/460 Corridor Plan.

This action was commenced upon the application of owners Robert & Charlotte Apgar (Agent: JMB Investment Company LLC).

This ordinance shall take effect upon adoption.

The vote on the forgoing ordinance was as follows:

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

ORD-FY-16-09
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 4.208 ACRES FROM MANUFACTURING LIGHT (ML) TO AGRICULTURAL AND 0.67 ACRES FROM CONSERVATION (C1) TO AGRICULTURAL (A1) IN THE CENTRAL MONTGOMERY DISTRICT (DISTRICT B) LOCATED AT 480 CINNABAR RD. IDENTIFIED FURTHER AS TAX PARCELS NO. 067-A-234, 067-A-161A, PARCEL ID. NUMBER 035206, 034291

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

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning request is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request to rezone 0.67 acres from Conservation (C1) to Agricultural (A1) and 4.208 acres from Manufacturing Light (ML) to Agricultural (A1), to incorporate the property into the existing Agricultural (A1) zoning district.

The subject parcels are located at 480 Cinnabar Rd; identified as tax map nos. 67-A-234, 67-A-161A (Parcel No. 035206, 034291) in the Central Montgomery District (District B).

The property currently lies in an area designated as Urban Expansion/Rural in the 2025 Comprehensive Plan.

This action was commenced upon the application of owners Montgomery County Board of Supervisors.

This ordinance shall take effect upon adoption.

The vote on the forgoing ordinance was as follows:

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

NEW BUSINESS

R-FY-16-55
RESOLUTION TO AMEND THE COUNTY'S PERSONNEL POLICES AND PROCEDURES BY ADDING SECTION 8.17, PAID PARENTAL LEAVE

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

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves the addition of Section 8.17, Paid Parental Leave, to the County Personnel Policies and Procedures as follows:

8.17 PAID PARENTAL LEAVE

A. The purpose of the Paid Parental Leave Policy is to enable eligible employees to bond with a newborn or a newly adopted child. Eligible employees will receive a maximum of four weeks (160 hours) of leave.

B. An eligible employee must have been employed by the County for at least 12 months and worked at least 1,250 hours in the previous year. In addition, the employee must meet one of the following criteria:

1. Given birth to a child;
2. Spouse of a woman who has given birth to a child; or
3. Adopted a child who is 17 years of age or younger.

C. Employees who have primary employment with the County, but who also work a second, part-time job shall be eligible for leave.

D. Temporary full-time employees are not eligible for paid parental leave.

E. If both eligible employees work for the County, employees will jointly share four (160 hours) weeks of parental leave.

F. Paid parental leave shall run concurrently with Family and Medical Leave Act (FMLA), as outlined in section 8.15 of the Personnel Policies and Procedures Manual.

G. Employees shall be required to provide the Human Resources Department with appropriate documentation for leave, such as a birth certificate or letter from an adoption agency.

H. Employee shall provide a thirty (30) day notice of the intent to utilize paid parental leave, or as much notice as practical if the leave is not foreseeable.

I. After paid parental leave and any short-term disability leave is exhausted, the balance of FMLA leave will be compensated through employees' accrued leave and/or leave without pay.

J. Each week of paid parental leave is compensated at 100 percent of the employees' regular, straight-time weekly pay.

K. Female employees who are classified as a Hybrid employee under the Virginia Retirement System (VRS) shall file for short-term disability, which will cover 60% of time missed during paid leave. The remaining 40% of the benefit will be covered by paid parental leave.

L. Paid parental leave will be paid on a twice-monthly basis on regularly scheduled paydates.

M. The County will maintain all other eligible benefits for employees during the paid parental leave period.

N. The employee's share of benefit premiums shall be deducted from the employee's pay in accordance with the County's normal practice.

O. Employees are eligible for merit and/or salary increases awarded while the employee is on paid parental leave.

P. Holiday pay will not extend paid parental leave.

Q. If an employee elects to return to work before the end of the four week (160 hours) period, the paid parental leave benefit shall cease.

R. Upon termination of the employee's employment at the County, he or she shall not be paid for any unused paid parental leave.

The vote on the forgoing resolution was as follows:

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

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following:

- Bond Rating Agencies: Several staff members and the County's Financial Advisor met with the Bond Rating Agencies to reaffirm the County's bond ratings.
- Animal Care and Adoption Center Groundbreaking will be held Tuesday, December 15, 2015.
- 2015 NRV Passenger Rail Study has been released. The purpose of the study is to evaluate a potential passenger rail stop in the New River Valley region. Three potential sites have been selected, two sites in the Christiansburg area and one site in the City of Radford.
- Oath of Office will be held December 18, 2015 at 3:00 p.m. for all the re-elected and newly elected officials.
- A special meeting before the PSA meeting on January 4, 2016 has been scheduled.
- The County Administrator expressed his appreciation to Chair Brown and Supervisor Gabriele for their service to the county. He wished both the best of luck for the future.

BOARD MEMBERS REPORTS

Supervisor Perkins thanked Chair Brown for his leadership as Chair for the Board of Supervisors. She also thanked Supervisor Gabriele for his four years of service on the Board. She welcomed Supervisor-Elect April DeMotts and Darrell Sheppard to the Board.

Supervisor Perkins wished everyone a Merry Christmas and New Year.

Supervisor Tuck expressed his appreciation to Chair Brown and Supervisor Gabriele for their service to the County. He stated that Supervisor Gabriele was very mindful and he responded to all citizen's calls and e-mails. Supervisor Gabriele taught him that a topic should not be added to the agenda at the last moment. To let citizens know in advance the issues/topics the Board is considering before taking action.

Supervisor Tuck commented on Chair Brown's leadership on the Board of Supervisors. Chair Brown always used the example that the County is like a heart, there are seven chambers that need to work together in order to function properly.

Supervisor Gabriele commented is was surreal that this was his last Board report. He thanked all the current and past Board members he served with. He has learned a lot from the Board members, county staff and community. He thanked the citizens for all their feedback on issues over the years.

Supervisor Gabriele wished everyone a Happy Holiday.

Supervisor Creed appreciate all the work Chair Brown and Supervisor Gabriele did for the County. They will be missed.

Supervisor King expressed his appreciation to Chair Tuck and Supervisor Gabriele for serving Montgomery County. He thanked Chair Brown for helping him when he WAS first elected to the Board of Supervisors.

Supervisor Biggs stated it was an honor to serve with Chair Brown and Supervisor Gabriele. She stated that she served with Supervisor Gabriele when he was the Board's representative on the Library Board and did an outstanding job. Supervisor Biggs stated that Chair Brown was an excellent leader who put a lot of thought into the Chair's position.

Supervisor Brown commented that it has been an honor to serve the citizens of Montgomery County. He advised the Board members to not let political party lines keep the Board from accomplishing county business and to keep politics out of it. Chair Brown stated he has been an advocate for county employees and hopes that future Board members do the same.

He praised County Administration staff who has helped him in his role of Supervisor and then as the Chair. He thanked the Sheriff's office for providing protection at all the Board meetings. He also stated he could not say enough about the citizens of Montgomery County who want to make Montgomery County a better place.

ADJOURNMENT

The Chair declared the meeting adjourned to January 11, 2016 at 6:00 p.m. The meeting adjourned at 9:10 p.m.

APPROVED_____ATTEST:_____

William H. Brown	F. Craig Meadows
Chair	County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 4th DAY OF JANUARY, 2016 AT 5:30 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Mary W. Biggs	Vice-Chair
	Gary D. Creed	-Supervisors
	M. Todd King	
	Annette S. Perkins (arrived 5:45 p.m.)	
	Christopher A. Tuck	
	Darrell O. Sheppard	
	April N. DeMotts	
	F. Craig Meadows	-County Administrator
	Martin M. McMahon	-County Attorney

CALL TO ORDER

The County Administrator called the meeting to order.

INTO CLOSED MEETING – 5:30 p.m.

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

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

Section 2.2-3711 (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
2. Riner Public Safety Site
3. Former AEP Property
4. State Street Property
5. Roanoke Street Property

The vote on the forgoing 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		
April N. DeMotts		
Darrell O. Sheppard		

Supervisor Perkins arrived at 5:45 p.m.

At 6:40 p.m., Supervisor DeMotts excused herself from the Closed Meeting due to a potential conflict with the matter of discussing the former Blacksburg Middle School property.

At 7:00 p.m., the Board agreed to recess from Closed Meeting to allow the Public Service Authority to conduct their meeting at their regularly scheduled time.

OUT OF CLOSED MEETING – 7:00 p.m.

On a motion by Christopher A. Tuck, seconded by Darrell O. Sheppard and carried unanimously,

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

The vote on the forgoing motion was as follows:

AYE	NAY
M. Todd King	None
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
Darrell O. Sheppard	
April N. DeMotts	
Gary D. Creed	

INTO CLOSED MEETING – 7:40 p.m.

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 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
2. Riner Public Safety Site
3. Former AEP Property
4. State Street Property
5. Roanoke Street Property

The vote on the forgoing motion was as follows:

AYE	NAY
Annette S. Perkins	None
Christopher A. Tuck	
Darrell O. Sheppard	
April N. DeMotts	
Gary D. Creed	
Mary W. Biggs	
M. Todd King	

Supervisor DeMotts read a statement that declared that she had a potential conflict of interest with regard to the former Blacksburg Middle School property and she would excuse herself from any remaining discussion on this matter.

OUT OF CLOSED MEETING – 7:59 p.m.

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

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

The vote on the forgoing motion was as follows:

AYE	NAY	ABSENT DURING VOTE
M. Todd King	None	April N. DeMotts
Mary W. Biggs		
Annette S. Perkins		
Christopher A. Tuck		
Darrell O. Sheppard		
Gary D. Creed		

CERTIFICATION OF CLOSED MEETING - 8:00 p.m.

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

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

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

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

VOTE

AYES
Mary W. Biggs
Annette S. Perkins
Christopher A. Tuck
Gary D. Creed
M. Todd King
Darrell O. Sheppard

NAYS
None

ABSTAIN
April N. DeMotts

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

Supervisor DeMotts abstained due to being present only during discussion of matters that did not pertain to the former Blacksburg Middle School property.

ADD TO CLOSED MEETING

On a motion by Christopher A. Tuck, seconded by Mary W. Biggs and carried unanimously, the following item was added to Closed Meeting:

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

The vote on the foregoing motion was as follows:

AYE	NAY
Mary W. Biggs	None
April N. DeMotts	
Darrell O. Sheppard	
M. Todd King	
Annette S. Perkins	
Gary D. Creed	
Christopher A. Tuck	

INTO CLOSED MEETING – 8:02 p.m.

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 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

6. Former Blacksburg High School Property

The vote on the forgoing motion was as follows:

AYE	NAY
Gary D. Creed	None
M. Todd King	
Mary W. Biggs	
Christopher A. Tuck	
April N. DeMotts	
Darrell O. Sheppard	
Annette S. Perkins	

OUT OF CLOSED MEETING – 8:39 p.m.

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

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

The vote on the forgoing motion was as follows:

AYE	NAY
M. Todd King	None
Mary W. Biggs	
Annette S. Perkins	
Christopher A. Tuck	
Darrell O. Sheppard	
April N. DeMotts	
Gary D. Creed	

CERTIFICATION OF CLOSED MEETING - 8:40 p.m.

On a motion by Christopher A. Tuck, seconded by Gary D. Creed 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
Darrell O. Sheppard
April N. DeMotts

NAYS
None

ABSENT DURING VOTE
None

ABSENT DURING MEETING
None

OTHER BUSINESS

The County Administrator reported that the 4th Annual Dialogue on Race Community Summit is Saturday, January 16, 2016 at the CrossPointe Conference Center. The Dialogue on Race Committee has requested $1,500 from the County to help cover costs.

On a motion by Annette S. Perkins, seconded by April N. DeMotts and carried, the Board agreed to appropriate $1,500 to the Dialogue on Race event.

The vote on the foregoing motion was as follows:

AYE	NAY
Gary D. Creed	M. Todd King
Mary W. Biggs	
April N. DeMotts	
Darrell O. Sheppard	
Annette S. Perkins	
Christopher A. Tuck	

ADJOURNMENT

The meeting adjourned to January 11, 2016 at 6:00 p.m. The meeting adjourned at 9:05 p.m.

APPROVED_____ATTEST:_____

Mary W. Biggs
Vice-Chair

F. Craig Meadows
County Administrator