

**CONSENT AGENDA  
October 14, 2014**

**A. APPROVAL OF MINUTES**

**1. SUBJECT: APPROVAL OF MINUTES DATED APRIL 28 , 2014**

ISSUE/PURPOSE: The above listed minutes are before the Board for approval. See TAB **A** .

**B. SCHEDULE PUBLIC HEARING**

**1. SUBJECT: SCHEDULE PUBLIC HEARING – AEP EASEMENT REQUEST**

**R-FY-15-  
A RESOLUTION SCHEDULING A PUBLIC HEARING ON  
APPALACHIAN POWER COMPANY’S REQUEST FOR  
THE BOARD OF SUPERVISORS TO CONVEY A  
TEN FOOT EASEMENT AND RIGHT-OF-WAY  
TO APPALACHIAN POWER COMPANY  
ADJACENT TO AN EXISTING UTILITY EASEMENT  
ON COUNTY PROPERTY COMMONLY REFERRED  
TO AS THE FORMER AEP PROPERTY**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to schedule a public hearing for Wednesday, November 12, 2014, at 7:15 p.m. or as soon thereafter in the Board Chambers at the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on Appalachian Power Company’s request for the Board of Supervisors to convey a ten-foot (10’) wide easement and right-of-way to Appalachian Power Company adjacent to an existing easement on County Property Tax Map No. 54-A-4A commonly referred to as the former AEP Property off Nik Ryan Drive in the Mount Tabor Magisterial District.

ISSUE/PURPOSE: Schedule a Public Hearing.

JUSTIFICATION: AEP is requesting a ten-foot (10’) wide easement and right-of-way on County property commonly referred to as the former AEP Property off Nik Ryan Drive. AEP is removing 4-spans of existing overhead power line and placing the line underground. See TAB **B** .

**C. APPROPRIATIONS AND TRANSFERS**

**1. SUBJECT: COMMONWEALTH’S ATTORNEY –  
FORFEITED ASSET SHARING PROGRAM**

**A-FY-15-  
COMMONWEALTH’S ATTORNEY  
FORFEITED ASSET SHARING PROGRAM**

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

200 Commonwealth’s Attorney \$1,554

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

Revenue Account  
419104 Confiscations \$1,554

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

ISSUE/PURPOSE: Appropriate Forfeited Asset Sharing Program funds.

JUSTIFICATION: This money was seized from cases investigated by the Montgomery County Drug Task Force and prosecuted by the Commonwealth’s Attorney office as a participant of the Department of Criminal Justice Services’ Forfeited Asset Sharing program. These funds must be used for law enforcement purposes only and may not be used to supplant existing funding.

**2. SUBJECT: RSVP GRANT APPROPRIATION**

**A-FY-15-  
RSVP GRANT APPROPRIATION**

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:

520 Human Services \$2,500

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

<u>Revenue Account</u>	
25202-433107 Grant	\$2,500

Said resolution appropriates grant funds received from the Corporation for National and Community Services for the RSVP program.

ISSUE/PURPOSE: Appropriate additional grant funds received for the RSVP program.

JUSTIFICATION: This resolution appropriates an additional one time grant fund augmentation of \$2,500 received from the Corporation for National and Community Service for the RSVP program. There is no local match on these funds.

**3. SUBJECT: SOCIAL SERVICES FY 15 BUDGET RECONCILIATION**

**A-FY-15-  
SOCIAL SERVICES  
FY 15 BUDGET RECONCILIATION**

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

540	Social Services	\$109,459
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The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>	
State & Federal	\$ 49,592
451203 Fund Balance	<u>\$ 59,867</u>
Total	\$109,459

Said resolution reconciles Social Services County FY 15 approved budget to State FY 15 budget.

ISSUE/PURPOSE: FY 15 Social Services Reconciliation.

JUSTIFICATION: The County budget is adopted prior to the receipt of the state budget allocation for the Department of Social Services. This resolution reconciles the County FY 15 budget to the actual allocation of state funds for the department.

The FY 15 County budget for Social Services totals \$5,331,880 and the revised budget totals \$5,441,339, a difference of \$109,459. Of the revised budget, County dollars total \$1,053,752, or 19.4% of the total.

**4. SUBJECT: TREASURER – DMV STOP FEE**

**A-FY-15-  
TREASURER  
DMV STOP FEE**

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:

162	Treasurer's Collections	\$5,788
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
411605	DMV Stop Fee	\$5,788

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

**ISSUE/PURPOSE:** Appropriate DMV Stop fee service charges.

**JUSTIFICATION:** The Treasurer's Office issues DMV stops on delinquent taxpayers. This program prevents taxpayers from receiving DMV license renewals until their delinquent taxes are paid to the County. The DMV charges an administrative fee to the County, which the Treasurer's office passes on to the taxpayer. This resolution appropriates funds received to date under this program.

5. **SUBJECT: TREASURER – TRANSFER FROM  
GENERAL CONTINGENCIES (Balance in  
General Contingencies before approval of this  
transfer is \$413,889)**

**A-FY-15-  
TREASURER  
TRANSFER FROM GENERAL CONTINGENCIES**

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

FROM:  
950 General Contingencies (\$3,800)

TO:  
162 Treasurer Collections \$3,800

Said resolution transfers funds from General Contingencies to the Treasurer's Office for the costs associated with a purchase of a replacement copier.

**ISSUE/PURPOSE:** Transfer funds from General Contingencies to the Treasurer's Office.

**JUSTIFICATION:** This resolution transfers \$3,800 from General Contingencies to the Treasurer's Office for the costs associated with the purchase of a replacement copier. The Treasurer's existing copier has failed and is beyond repair. The Treasurer does not have sufficient funds in his base budget to cover this expense.

6. **SUBJECT: SHERIFF – DMV GRANTS**

**A-FY-15-  
SHERIFF  
DMV GRANTS**

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 \$37,944

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

Revenue Account  
424401 State Grants \$37,944

Said resolution appropriates monies from three DMV grants.

ISSUE/PURPOSE: Appropriate three DMV grants received for the Sheriff's Office.

JUSTIFICATION: This resolution appropriates three DMV grants. The grants, *Selective Enforcement –Alcohol* (\$14,184), *Selective Enforcement –Speed* (\$15,120), *Selective Enforcement –Occupant Protection* (\$8,640) will be used for overtime. No local cash match is required.

**D. AFD**

**1. SUBJECT: ORDINANCE RENEWING AFD #14**

**ORD-FY-15-  
AN ORDINANCE RENEWING  
AGRICULTURAL AND FORESTAL DISTRICT (AFD-14) FISHER'S VIEW  
CONSISTING OF APPROXIMATELY 531.752 ACRES  
IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C)  
WITHIN MONTGOMERY COUNTY, VIRGINIA**

WHEREAS, Phillip K. Wickham and Richard & Diane Hyatt; have filed applications for the renewal of AFD-14, which Agricultural and Forestal District was created by an ordinance adopted on the 13<sup>th</sup> day of October, 1998; renewed by an ordinance adopted on the 9<sup>th</sup> day of October, 2006.

WHEREAS, The existing AFD-14 members were notified by U.S. Mail concerning the renewal of the current term and asked to file an application to continue the district; and

WHEREAS, The applications were referred to the Agricultural and Forestal District Advisory Committee and said Committee has reviewed the application, reported its findings and recommendation for approval on August 28, 2014; and

WHEREAS, The Planning Commission did publish notice of the pendency of the applications on July 11, 2014; July 18, 2014; September 6, 2014; and September 12, 2014, in The Roanoke Times, The Burgs section, a newspaper of general circulation within Montgomery County, Virginia; and

WHEREAS, The Planning Commission held a public meeting on September 17, 2014; and

WHEREAS, The Planning Commission forwarded the applications with its findings and recommendation for approval to the Board of Supervisors on September 22, 2014; and

WHEREAS, The Board of Supervisors after proper notice, held its public hearing on September 22, 2014; and

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia, as follows:

1. That the conservation, protection and encouragement of the development and improvement of its agricultural and forestal land for the production of food and other agricultural and forestal products is vital to the public interest, and that the conservation and protection of these lands as a valued natural and ecological resource as well as economic and environment resource of major importance is also in the public interest.
2. That this Agricultural and Forestal District, AFD-14, has been reviewed and is hereby continued and renewed for a term of eight years terminating on December 31, 2022, in accordance with the provisions of Title 15.2, Chapter 36, Sections 15.2-4300 through 15.2-4314 Code of Virginia, 1950, as amended.
3. That said District as renewed shall consist of approximately 531.752 acres in the Fisher's View Agricultural and Forestal District of Montgomery County, and shall include the following parcels:

<b>OWNER</b>	<b>Parcel ID</b>	<b>ACREAGE</b>
PHILLIP K. WICKHAM	017549	75.019
	011726	84.806
	020650	36.623
	000970	9
	000969	4.3
RICHARD & DIANE HYATT	019241	120
	019242	6
	019243	51
	019244	13.12
	019245	10.5
	019246	6.25
	008721	23.9
	008720	91.234

4. That these parcels may qualify for land use value assessment provided the parcels meet the criteria of Section 58.1-3230 and 58.1-3233 of the Code.

5. That the owners of land within said District shall not terminate the District except in accordance with Section 15.2-4314 of the Code.
6. That lawful termination of any owner's association of the District shall not serve to terminate the existence of the District but the District shall continue in effect until the review required by Section 15.2-4311 of the Code.
7. That all County ordinances and regulations shall be applicable within said District; provided, such ordinance and regulations are consistent with the Agricultural and Forestal Districts Act. Further the Planning Commission is hereby advised that it is the intent of the Board of Supervisors that land use planning decisions or ordinances enacted to implement same shall take into account the special status of both land adjacent to said District and land lying within said District.
8. That an exception for secondary roads either within or along the boundary of said District is hereby created and consequently, there is hereby excepted from said District a strip of land extending twenty-five (25) feet on both sides of the center line of all existing secondary roads within or along the boundary of said District from this ordinance.

This ordinance shall take effect upon its adoption.

ISSUE/PURPOSE: Ordinance renewing AFD#14.

JUSTIFICATION: AFD #14 was created by an ordinance adopted on the October 13, 1998 and renewed on October 9, 2006. The property owners have expressed their interest in renewing AFD #14 for another eight year term. Both the AFD Advisory Committee and the Planning Commission recommend approval of renewing AFD #14. See TAB C .

**E. BOARD MEETINGS**

1. **SUBJECT: AMEND BOARD OF SUPERVISORS MEETING DATES**

**R-FY-15-  
RESOLUTION AMENDING THE  
BOARD OF SUPERVISORS MEETING DATES IN  
NOVEMBER AND DECEMBER 2014**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules its first meeting in in November on Wednesday, **November 12, 2014**.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby reschedules its first meeting in December on Monday, **December 15, 2014** and cancels its second meeting in December due to the holidays.

ISSUE/PURPOSE: Resolution changing the first meeting in November due to Board Members attending the VACo Conference at the Homestead, November 9-11, 2014. This resolution also reschedules its first meeting in December and cancels the second meeting in December due to the holidays.

**F. APPOINTMENTS**

**1. SUBJECT: ADJUSTMENT AND APPEALS BOARD**

**R-FY-15-  
ADJUSTMENT AND APPEALS BOARD  
APPOINTMENT**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Christopher C. Sarver** to the **Adjustment and Appeals Board** effective October 15, 2014 and expiring June 25, 2015.

Said appointment fills the unexpired term of Joel Donahue, deceased.

ISSUE/PURPOSE: Appoint Christopher C. Sarver to fill the unexpired term of Joel Donahue, deceased.

JUSTIFICATION: Mr. Sarver was interviewed by the Interview Committee on September 15, 2014.

**2. SUBJECT: AGENCY ON AGING – RE-APPOINT  
RAYMOND E. LYONS, JR. AS ALTERNATE**

**A-FY-15-  
AGENCY ON AGING  
RE-APPOINT RAYMOND E. LYONS  
AS ALTERNATE**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby re-appoints **Raymond E. Lyons, Jr.** as an **alternate** to the **New River Valley Agency on Aging** effective October 1, 2014 and expiring September 30, 2015.

ISSUE/PURPOSE:

Re-appoint Raymond E. Lyons, Jr. as alternate member for the Agency on Aging.

JUSTIFICATION:

See **TAB D** for a copy of Mr. Lyons' letter stating that he wishes to be re-appointed to the Agency on Aging.