

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 14<sup>th</sup> DAY OF JANUARY, 2013 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	James D. Politis	-Chair
	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Matthew R. Gabriele	
	Annette S. Perkins	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Brain Hamilton	-Economic Development Director
	Steve Sandy	-Planning Director
	Angie Hill	-Financial & Management Services Director
	Marc Magruder	-Budget Manager
	Ruth Richey	-Public Information Officer
	Vickie L. Swinney	-Secretary, Board of Supervisors

### **CALL TO ORDER**

The County Administrator called the meeting to order and stated the first item of business was to elect a Chair for the Board of Supervisors for 2013. He opened the floor for nominations.

### **ELECTION OF CHAIR**

#### **R-FY-13-57 ELECTION OF CHAIR CALENDAR YEAR 2013**

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

BE IT RESOLVED, That **James D. Politis** be and hereby is, elected as Chair of the Montgomery County Board of Supervisors for the calendar year 2013 or until a successor is elected.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
James D. Politis	

### **ELECTION OF VICE-CHAIR**

#### **R-FY-13-58 ELECTION OF VICE CHAIR CALENDAR YEAR 2013**

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

BE IT RESOLVED, That **William H. Brown** be and hereby is, elected as Vice Chair of the Montgomery County Board of Supervisors for calendar year 2013 or until a successor is elected.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
James D. Politis	

### **INTO CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by William H. Brown 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 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community
1. Project # 2013-001
- (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. Falling Branch Corporate Park
  2. Texas Hollow Road Property
  3. Courthouse Property
- (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. Fairview Home

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
James D. Politis	

### **OUT OF CLOSED MEETING**

On a motion by Gary D. Creed, seconded by William H. Brown 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

Annette S. Perkins  
William H. Brown  
Mary W. Biggs  
Christopher A. Tuck  
Matthew R. Gabriele  
Gary D. Creed  
James D. Politis

NAY

None

**CERTIFICATION OF CLOSED MEETING**

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

William H. Brown  
Mary W. Biggs  
Christopher A. Tuck  
Matthew R. Gabriele  
Gary D. Creed  
Annette S. Perkins  
James D. Politis

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

**INVOCATION**

A moment of silence was led by the Chair.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ORGANIZATIONAL MATTERS**

**R-FY-13-59  
SELECTION OF REGULAR MEETING DATES  
FOR 2013**

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, That the regular meetings of the Board of Supervisors for calendar year 2013 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 7:00 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.

The vote on the forgoing resolution was as follows:

AYE

Matthew R. Gabriele  
Gary D. Creed  
Annette S. Perkins  
William H. Brown  
Mary W. Biggs  
Christopher A. Tuck  
James D. Politis

NAY

None

**R-FY-13-60  
RULES OF ORDER AND  
PARLIAMENTARY PROCEDURES**

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Rules of Order and Parliamentary Procedures for calendar year 2013 as follows:

**RULES OF ORDER**

- Rule 1** The current edition of *Roberts Rules of Order* shall govern in the deliberations of the Board of Supervisors, except as otherwise provided by ordinance or these rules.
- Rule 2** The Board may *temporarily suspend* any of its rules by a vote of two-thirds of the members present.
- Rule 3** No ordinance or resolution *appropriating money exceeding the sum of \$500*, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the Board.
- Rule 4** A subject(s) may be *added to the Agenda* following the Delegation portion of the meeting.
- Rule 5** *Discussion of Agenda items* will occur only after a motion is made.
- Rule 6** In any case in which there shall be a *tie vote* of the Board upon any question when all of the members are not present, that question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present. In any case in which there shall be a tie vote upon any question after complying with this procedure, that tie vote shall defeat the motion, resolution or issue voted upon.

- Rule 7** When any motion, resolution, or ordinance has been *once acted upon* by the Board it cannot be considered again at the same meeting except by a motion to reconsider. The motion to reconsider cannot be repeated on the same question unless the question was amended when previously reconsidered.
- Rule 8** A motion to *reconsider* a question which has been decided shall be made by a member who voted with the prevailing side and shall be made at the same meeting of the Board or the next succeeding meeting of the Board. All motions to reconsider shall be decided by a majority vote of the members present.
- Rule 9** When the Board wishes to *annul some action it has previously taken*, a motion to rescind the objectionable resolution, order or other proceeding may be made. Any action of the Board may be rescinded regardless of the time that has elapsed. A motion to rescind is not in order if action has already been taken which cannot be undone.
- Rule 10** The County Administrator is hereby authorized to prepare for each meeting a *consent agenda* for consideration by the Board. This consent agenda may include any item believed by the County Administrator to be routine and not controversial in nature, for example, resolutions authorizing interdepartmental budget transfers, appropriations, various permits authorized by the Board, referrals to other boards and commissions for appropriate action.
- Rule 11** Any member of the Board may request to have any item *removed from the consent agenda*. Such request need not be seconded. Such item shall then be considered immediately after the consent agenda.
- Rule 12** A single motion and roll call vote in favor thereof shall approve all items remaining on the *consent agenda*.
- Rule 13** The County Administrator is hereby authorized to *provide agendas* for future Board meetings to those individuals, businesses, or organizations who desire to receive same.
- Rule 14** An individual, business or organization shall request the County Administrator on a calendar year basis to *mail such agendas* to them. At the end of each calendar year, the County Administrator shall notify all individuals, businesses, or organizations on the agenda list that agendas will no longer be mailed to them unless notification is received by the County Administrator that they desire to continue to receive agendas for the upcoming calendar year.
- Rule 15** The County Administrator shall **mail agendas at the public expense** until such time as the annual expense for such mailings exceeds \$500. Thereafter, the County Administrator shall bring such practice to the attention of the Board for its consideration.

**Rule 16** Individual speakers will be limited to 5 minutes to address the Board during the public address and the public hearing portions of the meeting. *Applicants and/or agents of land use issues will be limited to 15 minutes to address the Board during the public hearing portion of the meeting.*

**Rule 17** Staff and **Delegation** presentations will not exceed 20 minutes unless prior approval is obtained from the Administrator.

**Rule 18** **Non-Agenda items** may be included for discussion and action during Board Members' Reports segment of the meeting.

**Rule 19** Motions for **tabling** an item shall include conditions for removal from the table.

**Rule 20** Board meetings will **adjourn** no later than 11:30 p.m., unless a vote is taken to continue the meeting, with an affirmative vote of two-thirds (2/3) of those members present.

**Rule 21** Appointments of individual members of the Board of Supervisors for yearly **appointments** to various Boards, Commissions, Committees, etc., shall be made at the beginning of the year, at the same meeting at which elections of the Chair and Vice Chair occur (the first meeting of each calendar year), unless the appointment to a Board, Commission, or Committee needs to be made by the Board prior to January 1 of the effective year in which case the appointment will be made prior to the end of the year to be effective January 1, of the following year.

**Rule 22** On final vote on any ordinance or resolution, the name of each member voting and how he voted shall be recorded.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
James D. Politis	

**R-FY-13-61**  
**CODE OF ETHICS AND**  
**STANDARDS OF CONDUCT**

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

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby adopts the Code of Ethics and Standards of Conduct for calendar year 2013 as follows:

**CODE OF ETHICS**

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Montgomery County Board of Supervisors should adhere to the following Code of Ethics:

1. Uphold the Constitution, laws and regulations of the United States, the Commonwealth of Virginia and Montgomery County, and never knowingly be a party to their evasion.
2. Be loyal to moral principles and the interests of the citizens of the county.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, gender, age, religion, creed or country of origin. Avoid adopting policies, supporting programs or engaging in Board activities that discriminate against or offend individuals because of race, gender, age, religion, creed or country of origin.
6. Ensure the integrity of the actions of the Board of Supervisors by avoiding discrimination through the dispersing of, or requesting, special favors or unfair privileges to anyone, whether for remuneration or not. A member should never request or accept for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties, or employees.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on public duty.
8. Engage in no business with the county government, either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the State and Local Government Conflict of Interest Act.

9. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
10. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed sessions to deal with sensitive personnel, legal, contractual or other issues as provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues or citizens, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Board of Supervisors.
14. Review orally and in public session at the annual organizational meeting each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.
16. The Board recognizes that its primary role is to make policy and therefore will focus on issues pertaining to programs, operations and issues.
17. The Board recognizes that discussion of personnel matters are to remain confidential, must be discussed through appropriate channel processes, and that it is the obligation of each Board member to protect the privacy of the individual.
18. Board members will follow the procedure of communicating directly with the County Administrator and the Chairman of the Board. On personnel matters or matters relating to incidents, issues, or problems, the Board will follow the procedure of communicating directly with the Chairman or the County Administrator. Especially in situations where Board members might conceivably be construed as attempting to supervise, direct, or interfere with county personnel and the performance of their duties.

### **STANDARDS OF CONDUCT**

Recognizing that persons holding a position of public trust are under constant observation by the media and interested county residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Montgomery County Board of Supervisors should adhere to the following Standards of Conduct:

1. Avoid, during public meetings and during the performance of public duties, the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or personnel.
2. Pay all taxes due to the county, state, or national government.
3. Attend all regularly scheduled meetings of the boards or committees to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.
4. Avoid a private lifestyle that casts public doubt upon the integrity and competence of the county government.
5. Make a conscientious effort to be well prepared for each meeting.
6. Offer criticism of county employees only in private meetings with appropriate individuals or in closed session.
7. Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.
8. Maintain an attitude of courtesy and consideration toward all colleagues.
9. Be tolerant. Allow citizens, employees, or colleagues sufficient opportunity to present their views.
10. Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel or colleagues.
11. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
James D. Politis	

## DELEGATIONS

### Virginia Department of Transportation

Jay Guy, VDOT, made a presentation updating the Board on VDOT's safety studies for the Rt. 11/460 and Rt. 8 areas as follows:

#### Route 11/460 Safety Study

A study is taking place on a 17-mile section of Route 11/460 from Interstate 81 at exit 118 to Technology Drive in Montgomery and Roanoke counties and the Town of Christiansburg.

The study will focus on operations, access management and safety. It will also develop alternatives and recommendations for transportation improvements based on traffic projections through the year 2035.

Citizen information meetings will be held on Tuesday, January 22, 2013 at the Elliston Volunteer Fire Department to gather input from citizens who live and work in the area and will be included in the study.

#### Route 8 Safety Study

A study is taking place on a nine-mile section of Route 8 from Interstate 81 at exit 114 to State Route 863 (River Lane NW) in Montgomery County, and the Town of Christiansburg.

The study will focus on operations, access management and safety. It will also develop alternatives and recommendations for transportation improvements based on traffic projections through the year 2035.

Citizen information meetings will be held on Wednesday, January 23, 2013 at the Riner Volunteer Fire Department to gather input from citizens who live and work in the area and will be included in the study.

Overall Study Purpose & Objectives of both studies are:

- Identify existing transportation concerns
- Examine future traffic patterns
- Address safety for all modes of transportation
- Develop consensus-based short, mid and long-term recommendations to address all modes of transportation
- Establish a future vision for the corridor

This study will **not** address:

- Engineering design of the corridor or intersections
- Site layout for private properties fronting the corridor
- Updates to County zoning and land use plans
- Auburn School Complex Improvements and Modifications

## **Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2012**

John Aldridge with Brown, Edwards & Company, L.L.P., presented Montgomery County's Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2012.

### **PUBLIC HEARINGS**

#### Fiscal Year 2013-2014 County Budget

**The purpose of this public hearing is to gather citizen comments on the upcoming 2013-2014 fiscal year budget.**

Barbara Skinner expressed her concerns with the School Board requesting a 5 cent increase in the real estate tax rate to address the school budget. Ms. Skinner believes the School Board should increase class size, stating that by adding one student per class will save \$1.5 million. Ms. Skinner also addressed the high cost of the inclusion policy and high cost of the administration budget. She urged the Board of Supervisors to rein in school spending.

Heather Cox expressed her appreciation for the community meetings "County Conversations" that were held, and urged the Board to hold meetings like this during the budget session.

Jack Selcovitz, representing the New River Valley Tea Party, stated that increased taxation in Montgomery County is a concern for them. He asked the Board to challenge and question each budget request, especially the School Board budget. Mr. Selcovitz asked the Board to require the School Board to submit an operating budget and a capital budget in clarify what is being spent.

Mark Cherbaka spoke in support of the School Board budget request. Mr. Cherbaka stated he supports a gradual increase in the real estate tax rate with funding earmarked for capital needs. He expressed concerns with the deep cuts within the school budget last year and fears cutting staff and increasing class sizes in the upcoming budget year. Mr. Cherbaka stated changes need to be made at the federal and state level and citizens need to lobby the state.

Susan Marmagas stated Montgomery County has an excellent schools system. Montgomery County has been voted best place to live and raise children and she believes the quality of education in Montgomery County accounts for this high ranking. Ms. Marmagas supports the school system and expressed concerns with the possibility of more cuts in the school budget without additional funds. She urged the Board of Supervisors to continue to support public education.

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

Proposed Revenue Recovery Program by the Town of Christiansburg  
**Request by the Town of Christiansburg, pursuant to Section 32.1-111.14 of the Code of Virginia, seeking authorization from Montgomery County to allow the Christiansburg Rescue Squad to bill patients and/or insurers for ambulance services under the Town's proposed Revenue Recovery Program.**

The County Administrator summarized the Town of Christiansburg's proposal to begin billing patients and/or insurers for ambulance services. Joe Coyle, Captain of the Christiansburg Rescue Squad and Adam Carpenetti, Assistant to the Town Manager, were available to answer any questions.

Supervisor Brown, Board liaison to the Fire and Rescue Commission, provided a brief history on the Commission's discussions on a fee for services county-wide. At their July 25, 2012 meeting, the Fire & Rescue Commission voted unanimously not to entertain fees for services until they receive an official request to review further. The F&R Commission believes that a thorough review/study of fees for services needs to be conducted before imposing any type of fees for fire and rescue services.

Following an in-depth discussion by the Board, they asked for clarification regarding several issues, such as, do the Christiansburg Rescue Squad members support a revenue recovery program? How will such a program impact health insurance premiums? What are the Town Council plans for use of the revenue collected? Staff was instructed to compile a list of questions to be forwarded to the Town of Christiansburg.

There being no speakers, the public hearing was closed.

**PUBLIC ADDRESS**

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

**CONSENT AGENDA**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the Consent Agenda dated January 14, 2013 was approved. The vote was as follows:

AYE

William H. Brown  
Mary W. Biggs  
Christopher A. Tuck  
Matthew R. Gabriele  
Gary D. Creed  
Annette S. Perkins  
James D. Politis

NAY

None

**Approval of Minutes**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously, the minutes dated September 10, 2012 were approved.

**Appropriations and Transfers**

**A-FY-13-53  
COMMONWEALTH'S ATTORNEY  
FORFEITED ASSET SHARING PROGRAM**

On a motion by Mary W. Biggs, seconded by William H. Brown 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, 2013, for the function and in the amount as follows:

200	Commonwealth's Attorney	\$3,078
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419104	Confiscations	\$3,078

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

**A-FY-13-54  
FIRE AND RESCUE  
INSURANCE RECOVERIES CARRYOVER**

On a motion by Mary W. Biggs, seconded by William H. Brown 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, 2013 for the function and in the amount as follows:

330	Fire and Rescue	\$7,297
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451204	Designated Fund Balance	\$7,297

Said resolution appropriates insurance recoveries received from lightning damage at the Elliston Fire Station.

**A-FY-13-55**  
**RETIRED SENIOR VOLUNTEER PROGRAM**  
**APPROPRIATION OF FUNDRAISING AND DONATIONS**

On a motion by Mary W. Biggs, seconded by William H. Brown 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, 2013, for the function and in the amount as follows:

520	Human Services	\$11,187
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The source of the funds for the foregoing appropriation is as follows

<u>Revenue Account</u>		
25202-416158	Donations RSVP	\$11,187

Said resolution appropriates donations and fundraising monies generated by the Volunteers for use by the RSVP.

**A-FY-13-56**  
**SHERIFF**  
**RECOVERED COSTS**

On a motion by Mary W. Biggs, seconded by William H. Brown 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, 2013, for the function and in the amount as follows:

320	Sheriff County	\$17,348
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The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$16,449
419104	Confiscations	<u>\$ 899</u>
	Total	\$17,348

Said resolution appropriates recovered costs and confiscations for use by the Sheriff's office.

**A-FY-13-57  
REGISTRAR  
CARRYOVER FY-12 YEAR END FUNDS**

On a motion by Mary W. Biggs, seconded by William H. Brown 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, 2013, for the function and in the amount as follows:

170	Registrar	\$19,366
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The source of funds for the foregoing appropriation is as follows:

Revenue Account

02	451203	Undesignated Fund Balance	\$19,366
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Said resolution appropriates funds remaining at FY 12 year-end in the Registrar's office to cover cost over runs for the fall Presidential election.

**A-FY-13-58  
TRANSFER OF FUNDS  
GENERAL SERVICES AND INFORMATION TECHNOLOGY**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

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

FROM:

400	General Services	(\$60,000)
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TO:

140	Information Technology	\$60,000
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Said resolution transfers funds from General Services to Information Technology for Land Development Office software management.

**R-FY-13-62  
A RESOLUTION APPROVING SAFE ROUTE TO SCHOOL (SRTS)  
INFRASTRUCTURE GRANT APPLICATIONS FOR BELVIEW ELEMENTARY  
SCHOOL AND FOR THE AUBURN ELEMENTARY AND  
AUBURN MIDDLE SCHOOLS**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

WHEREAS, There is a need to provide options that allow children to walk and bicycle to school safely, and Safe Routes to School (SRTS) Programs can address these challenges through a coordinated action plan; and

WHEREAS, Safe Routes to School Programs use a variety of education, engineering and enforcement strategies that help make routes safer for children to walk and bicycle to school and encouragement strategies to entice more children to walk and bicycle; and

WHEREAS, The Safe Routes to School Program provides grant opportunities up to \$500,000 to support engineering (infrastructure) projects that will increase the number of children who bike and walk to school based upon a School Travel Plan; and

WHEREAS, The Safe Routes to School Program is fully supported by federal funds and requires no local match; and

WHEREAS, A coordinated effort has taken place over the last year in which Montgomery County, Montgomery County Public Schools, school staff, local law enforcement, local planners, local engineers, and the Virginia Department of Transportation have developed an approved Travel Plan for Belview Elementary School, Auburn Elementary School and Auburn Middle School; and

WHEREAS, The County is developing infrastructure grant applications to fund engineering solutions identified in the School Travel Plans for Belview Elementary, Auburn Elementary and the Auburn Middle School; and

WHEREAS, Montgomery County, Montgomery County Public Schools, Belview Elementary School, Auburn Elementary School, and Auburn Middle School anticipate a continuing Safe Routes to School Program in the community.

NOW, THEREFORE, BE IT RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby approves applying for the Safe Routes to School Grants for infrastructure improvements to support more children walking and biking to school as identified in the School Travel Plans developed for Belview Elementary School, Auburn Elementary School, and Auburn Middle School respectively.

BE IT FURTHER RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby authorizes the Montgomery County Administrator, F. Craig Meadows, to sign all documents necessary to apply for the Safe Routes to School Grants on behalf of the County of Montgomery.

**R-FY-13-63**  
**EMERGENCY SERVICES DIRECTOR**  
**REAPPOINT COUNTY ADMINISTRATOR**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **F. Craig Meadows** as **Director of Emergency Services** effective January 1, 2013 and expiring December 31, 2013.

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-13-64**  
**APPOINTMENT**  
**NRV ALCOHOL SAFETY ACTION PROGRAM**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Mary Pettit** to the **Alcohol Safety Action Program (New River Valley)** effective January 15, 2013 and expiring April 30, 2013.

**R-FY-13-65**  
**APPOINTMENT**  
**PARKS AND RECREATION COMMISSION**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Don Karnes**, who resides in District C, to the **Parks and Recreation Commission** effective January 15, 2013 and expiring February 25, 2014.

Said appointment fills the unexpired term of Norma Lawson, resigned.

**R-FY-13-66**  
**APPOINTMENT**  
**PLANNING COMMISSION**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Bryan Katz** to the **Montgomery County Planning Commission** effective March 10, 2013 and expiring March 8, 2017.

**R-FY-13-67**  
**APPOINTMENT**  
**NEW RIVER VALLEY HOME CONSORTIUM**

On a motion by Mary W. Biggs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Steve Sandy, Montgomery County Planning Director**, to the **New River Valley HOME Consortium Board** effective January 1, 2013 and expiring June 30, 2013.

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.

**NEW BUSINESS**

**R-FY-13-68**  
**BOARD OF SUPERVISORS ANNUAL APPOINTMENTS TO**  
**BOARDS AND COMMISSIONS FOR 2013**

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 following Supervisors are appointed as representative to the indicated boards and commissions, effective January 1, 2013 and expiring December 31, 2013:

<u>Board/Commission</u>	<u>Supervisor</u>
AFD Advisory Board	<u>James D. Polits</u>
Chamber of Commerce Liaison	<u>James D. Politis</u> (Chair) <u>William H. Brown</u> (Vice-Chair)

County/School Liaison	<u>F. Craig Meadows</u> (County Administrator) <u>James D. Politis</u> (Chair)
Economic Development Alliance (NRV)	<u>F. Craig Meadows</u> (County Administrator) <u>James D. Politis</u> (Chair)
Economic Development Commission (Montgomery Regional)	<u>Annette S. Perkins</u>
Fairview District Home Board	<u>James D. Politis</u>
Fairview Home, Inc. Board of Directors	<u>L. Carol Edmonds</u> (County Admin/Designee)
Legislative Liaison	<u>Mary W. Biggs</u>
Library Board Liaison	<u>Mary W. Biggs</u>
Metropolitan Planning Organization (MPO)	<u>Annette S. Perkins</u> (Board Member) <u>Matthew R. Gabriele</u> (Alternate) <u>F. Craig Meadows</u> (County Administrator)
Montgomery County Improvement Council (MCIC)	<u>Christopher A. Tuck</u>
Parks & Recreation Commission Liaison	<u>William H. Brown</u>
Planning Commission Liaison	<u>Christopher A. Tuck</u> <u>Mary W. Biggs</u> (Alternate)
Resource Conservation and Development District (RC&D)	<u>James D. Politis</u>
Road Viewers Board	<u>All Board Members</u>
School Board Liaison	<u>Matthew R. Gabriele</u> <u>Mary W. Biggs</u> (Alternate)
Transportation Safety Commission	<u>Gary D. Creed</u>
Virginia Tech Liaison	<u>F. Craig Meadows</u> (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.

The vote on the forgoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Christopher A. Tuck	
Matthew R. Gabriele	
Gary D. Creed	
Annette S. Perkins	
William H. Brown	
James D. Politis	

**R-FY-13-69**  
**APPOINTMENT**  
**NEW RIVER/MOUNT ROGERS**  
**WORKFORCE INVESTMENT CONSORTIUM BOARD**

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 **William H. Brown** to the **New River/Mount Rogers Workforce Investment Consortium Board**, and reappointments **F. Craig Meadows** as his alternate effective January 1, 2013 and expiring December 31, 2015.

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.

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.

The vote on the forgoing resolution was as follows:

AYE

Christopher A. Tuck  
Matthew R. Gabriele  
Gary D. Creed  
Annette S. Perkins  
William H. Brown  
Mary W. Biggs  
James D. Politis

NAY

None

**RECESS**

The Board took a fifteen minute recess at 8:45 p.m. and reconvened at 9:00 p.m.

**INTO WORK SESSION**

On a motion by William H. Brown, 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. FY 14 Revenue Estimates
2. Update on the State Budget

The vote on the forgoing motion was as follows:

AYE

Matthew R. Gabriele  
Gary D. Creed  
Annette S. Perkins  
William H. Brown  
Mary W. Biggs  
Christopher A. Tuck  
James D. Politis

NAY

None

**FY 14 Revenue Estimates**

Marc Magruder, Budget Manager, provided an update on the County's FY 14 revenue estimates as follows:

- Real estate is the single largest category of County revenue – approximately \$59M.

- Nearly 3/4 of all property taxes come from real estate.
- In order to generate \$1 million in real estate tax growth, the assessed value of new construction each year would need to be \$150 million. Growth in real estate valuation in FY 14 is estimated to be \$50 million, about 1% growth.
- Undesignated revenue for FY 2014 is estimated to provide an additional \$2 million.

Mr. Magruder reported that discussions with the Commissioner of the Revenue about changing the timing of the assessment of personal property tax from yearly to proration. Currently personal property tax is owed on all vehicles owned on January 1. If a new vehicle is purchased on January 2 or later, the tax on the vehicle would be due the following year. If the tax was prorated, personal property tax would be owed on the newly purchased vehicle during the year purchased. The decision to change the assessment time is up to the Commissioner of Revenue.

The Board directed staff to ask the Commissioner of the Revenue if she is considering changing the method of taxing motor vehicles from a set date to proration.

### **Update on the State Budget**

Carol Edmonds, Deputy County Administrator, provided highlights on the Governor's Budget.

### **Governor's Budget Highlights**

- \$48.1 million of sales tax directed toward transportation.
- \$50 million extra deposit into the Rainy Day Fund.
- \$9 million transferred from Literary Loans to the GF for teacher retirement.
- \$51.2 million of Lottery funds offsets the General Fund.
- Elimination of the "*flexible cut*" provides additional revenue of \$242,949.
- All other additional state revenues other than schools is projected at \$116,000.
- The total increase in school funds is estimated at \$615,891. Of this amount, \$490,000 is earmarked for the 2% salary increase for instructional SOQ positions. If the 2% salary increase is not given to the SOQ instructional positions, then the schools would not receive the funds. SOQ instructional positions represent only about 48% of all the positions within the school division. A 2% increase for all positions would cost \$1.6 million and the state is providing only \$490,000.

## **OUT OF WORK SESSION**

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

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

The vote on the forgoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
Annette S. Perkins	
William H. Brown	
Mary W. Biggs	
Christopher A. Tuck	
Matthew R. Gabriele	
James D. Politis	

## **COUNTY ATTORNEY'S REPORT**

The County Attorney reminded Board members that the Financial Disclosure Forms are due January 15, 2013.

## **BOARD MEMBERS REPORTS**

**Supervisor Creed** Request to Use County Property – Homeless Shelter The County received a request from the St. Thomas Episcopal Church to use the County's building located at 1 East Main Street ( old greyhound bus station across from the Church) for a homeless shelter. Board members asked staff to prepare a "pros and cons" list on the request. Several Board members expressed concerns with the liability that the County may incur and the property zoning.

**Supervisor Perkins** reported on the Virginia Tech/Montgomery Regional Airport extension project which includes the relocation of Southgate Drive.

Supervisor Perkins also reported she will be serving on the Virginia Association of Counties Education Steering Committee for 2013.

**Supervisor Brown** reported the Juvenile Detention Home Building Committee will be traveling to Staunton, Virginia to tour their Juvenile Detention Home facility.

On January 5, 2013 attended the Longshop Volunteer Rescue Squad Holiday Dinner and Installation of Officers and on January 12, 2013 attended the Shawsville Volunteer Rescue Squad Holiday Dinner.

**Supervisor Biggs** reported the **Human Relations Council** is hosting a summit on “A Dialogue on Race” on Saturday, January 17, at the Blacksburg Community Center and will focus on what it means to be an African-American in Montgomery County.

She also reported she will be serving on the **Virginia Association of Counties Education Steering Committee** for 2013.

Supervisor Biggs commented that she hopes the Board of Supervisors can continue to develop their relationship with the towns of Blacksburg and Christiansburg and with the School Board. She requested that the County schedule joint meetings with the Towns and School Board in the near future. Supervisor Gabriele agreed that the County needs to continue working on their relationship with the towns and the School Board.

**Community Meetings** – Supervisor Biggs believes the County Conversations meetings held were a great success and she would like to see the Board continue these meetings, especially during the budget season. Supervisor Gabriele also agreed to holding community meeting during the budget season and through-out the year.

Supervisor Biggs and Supervisor Gabriele stated it would be helpful for the Board of Supervisors to receive updates/reports on the liaison meetings that are held with the two towns and School Board.

**Supervisor Tuck** attended the Planning Commission meeting and Commission members discussed the request to allow chickens in residential areas.

**Supervisor Gabriele** attended the School Board meeting where the School Board members discussed options for the \$400,000 that the Board of Supervisors approved to be put in a reserve for school maintenance. Overall, the School Board concurs that the \$400,000 could be used to address some of the needs at Christiansburg High School; however, the School Board will be requesting flexibility in the use of the funds to conduct a feasibility study of the Christiansburg strand. The School Board will be forwarding a letter of request.

**Supervisor Politis** thanked fellow Board members for their vote in re-electing him as Chair of the Board of Supervisors for 2013.

## **ADJOURNMENT**

The Chair declared the meeting adjourned to Monday January 28, 2013. The meeting adjourned at 10:08 p.m.

APPROVED \_\_\_\_\_ ATTEST: \_\_\_\_\_  
James D. Politis F. Craig Meadows  
Chair County Administrator