

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 28th DAY OF OCTOBER, 2013 AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	William H. Brown	-Vice Chair
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	Matthew R. Gabriele	
	Annette S. Perkins (arrived 7:20 p.m.)	
	Christopher A. Tuck	
	F. Craig Meadows	-County Administrator
	L. Carol Edmonds	-Deputy County Administrator
	Martin M. McMahon	-County Attorney
	Dari Jenkins	-Zoning Administrator
	Brea Hopkins	-Development Planner
	Vickie L. Swinney	-Secretary, Board of Supervisors

ABSENT: James D. Politis -Chair

CALL TO ORDER

The Vice-Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Matthew R. Gabriele, 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. Old Blacksburg Middle School Property

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
1. Adjustment and Appeals Board
 2. Montgomery Regional Economic Development Commission
 3. NRV Economic Development Alliance
 4. Planning Commission
 5. Board of Zoning Appeals

The vote on the forgoing motion was as follows:

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

OUT OF CLOSED MEETING

On a motion by Matthew R. Gabriele, 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:

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

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, 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

Christopher A. Tuck
Matthew R. Gabriele
Gary D. Creed
Mary W. Biggs
William H. Brown

NAYS

None

ABSENT DURING VOTE

James D. Politis

ABSENT DURING MEETING

James D. Politis

ABSTAIN

Annette S. Perkins (Not present during Closed Meeting)

INVOCATION

A moment of silence was led by the Vice-Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Rezoning Request – SHAH Development LLC

Request by SHAH Development, LLC (Agent: Gay and Neel, Inc.) to rezone approximately 8.01 acres from Agricultural (A-1) to Multiple Family Residential (RM-1), with possible proffered conditions, to allow 64 residential dwelling units. The property is the former Elliston Lafayette Elementary School property located at 5201 Tango Lane; identified as Tax Parcel Nos. 060-1-A, (Account Nos. 070690) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Mixed Use.

Dari Jenkins, Zoning Administrator, summarized the rezoning request. SHAH Development is requesting to rezone approximately 8.01 acres from Agricultural (A-1) to Multiple Family Residential (RM-1), with possible proffered conditions, to allow 64 residential dwelling units (townhomes) to be constructed on the former Elliston/Lafayette Elementary School property. Ms. Jenkins described the details of the request and impacts to the existing land use. The proposed zoning change will present a significant change in land use and traffic patterns. The applicant has proposed a number of proffers to minimize the impact.

At their October 9, 2013 meeting, the Planning Commission recommended approval of the request with 15 proffered conditions.

Supervisor Creed asked fellow Board members if there is no opposition from citizens tonight on SHAH's request then he would like to see the rezoning request be added to the agenda tonight for consideration.

Thom Rutledge, agent for SHAH Development, believes this project to be an asset to the community. SHAH Development held community meetings in order to hear neighboring property owners concerns and input on the project and layout design. They received several helpful ideas and SHAH Development incorporated several of these in the plan. Mr. Rutledge also addressed the issue with the footbridge that crosses over the railroad tracks from Old Roanoke Road to the former school site. It is his understanding that the property owners located on the school side want the footbridge closed due to undesirable activities that occur near or on the footbridge. SHAH Development will have a dedicated easement in place for trails when the County is ready to construct the trails from this area to Roanoke County, as described in the Village Transportation Plan.

John Neel, Gay and Neel, provided additional information on the proffered conditions offered by SHAH Development and described the design layout, landscaping, bus shelter, and property management. Mr. Neel stated the proposed development of townhomes will provide affordable housing to the area.

Clarke Woods, an adjoining property owner, spoke in support of the rezoning request. Mr. Woods believes the proposed development will be beneficial to the area. He supports the closing of the footbridge in hopes it will decrease the number of breaking and entering, vandalism, and drug deals that occurs around this area.

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

AFD Renewals – AFD #7, AFD #9 and AFD #10

AFD - District #7 (Wilson/Den Creek) is generally located in the central portion of Montgomery County and is in the vicinity of Ellett Rd (SR 723) and Den Hill Rd. (SR 641). Currently, AFD 7 consists of 9 property owners and approximately 2,564.1 acres. The proposed new district would consist of 9 property owners and approximately 2,862.9 acres. (The AFD Advisory Committee has recommended this district be renewed for a term of eight (8) years).

AFD - District #9 (Elliston/Pedlar Hills) is generally located in the western portion of Montgomery County and is in the vicinity of Roanoke Rd (Route 11/460) and Seneca Hollow Rd. (SR 636). This district is currently under review for another eight year term. Currently, AFD 9 consists of 18 property owners and approximately 4,792 acres. The proposed new district would consist of 14 property owners and approximately 4,688 acres. (The AFD Advisory Committee has recommended this district be renewed for a term of eight (8) years).

AFD - District #10 (Mount Tabor) is generally located in the northern portion of Montgomery County west of the Town of Blacksburg and is in the vicinity of Mount Tabor Rd (SR 624) and Bishop Rd (SR 648). Currently, AFD 10 consists of 16 property owners and approximately 893.95 acres. The proposed new district would consist of 16 property owners and approximately 915 acres. (The AFD Advisory Committee has recommended this district be combined with AFD #2 for a term of six (6) years).

Brea Hopkins, Development Planner, reported that AFD #7, AFD #9 and AFD #10 are up for renewal. Agricultural & Forestal Districts are rural areas reserved for the production of agricultural products and as important economic and environmental resources. They are established according state guidelines at the initiative of the landowner and the approval of the Board of Supervisors. An AFD has a term of eight years and at the end of the eight years will be reviewed and considered for another eight year term. Landowners may request additional acreage to be considered for inclusion of the AFD or withdrawing their property at this time.

The AFD Advisory Committee met on August 6 and September 5, 2013 to discuss the renewal requests and to conduct a field visit of each district. Planning staff and the AFD Advisory Committee, when reviewing AFD #10, found that there were parcels which fell outside the one mile boundary, and were not contiguous to a parcel in the district. Many of those parcels were contiguous to parcels located in the nearby AFD #2. It was determined that it would be prudent to combine AFD #10 and AFD #2 district. The consensus of the AFD Advisory Committee was that all conditions for renewal had been met and recommends renewal.

At their October 9, 2014 meeting, the Planning Commission recommended the renewal of AFD #7 and AFD #9 for another eight year term. They also recommended combining AFD #10 with AFD #2 for a six year term to correspond to the renewal cycle of AFD #2 (Catawba).

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS

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

ADDENDUM

On a motion by Mary W. Biggs, seconded by Matthew R. Gabriele and carried unanimously, the addendum dated October 28, 2013 was added to the agenda as follows:

Consent Agenda

Appropriation - Fire and Rescue Operating Equipment Carryover - \$70,083

New Business

Ordinance – SHAH Development Special Use Permit

The vote on the foregoing motion was as follows:

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

CONSENT AGENDA

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated October 28, 2013 was approved. The vote was as follows:

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

Approval of Minutes

On a motion by Matthew R. Gabriele, seconded by Mary W. Biggs and carried unanimously, the Minutes dated May 13, May 14 and May 20, 2013 were approved.

Appropriations and Transfers

**A-FY-14-45
SHERIFF - DMV GRANTS**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

321	Sheriff Grants	\$26,896
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424401	State Grants	\$26,896

Said resolution appropriates monies from three DMV grants received by the Sheriff's Office.

**A-FY-14-46
SHERIFF
RECOVERED COSTS**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2014, for the function and in the amount as follows:

320	Sheriff County	\$3,029
321	Sheriff County	<u>\$ 600</u>
	Total	\$3,629

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

<u>Revenue Account</u>		
419108	Recovered Costs	\$3,629

Said resolution appropriates recovered costs for use by the Sheriff's department.

**A-FY-14-47
FIRE AND RESCUE
OPERATING EQUIPMENT CARRYOVER**

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

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2013 for the function and in the amount as follows:

330	Fire and Rescue	\$70,083
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The source of the funds for the foregoing appropriation is as follows

<u>Revenue Account</u>		
451204	Designated Fund Balance	\$70,083

Said resolution appropriates funds to cover the cost of fire and rescue equipment purchases that were initiated prior to year-end 2013.

**R-FY-14-53
SOCIAL SERVICES BOARD
APPOINT GLENN MATHEWS**

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 Board of Supervisors hereby appoints **Glenn Mathews** to the **Social Services Board** effective October 17, 2013 and expiring October 16, 2017.

OLD BUSINESS

**R-FY-14-54
RESOLUTION ADOPTING
MONTGOMERY COUNTY'S
EMERGENCY OPERATIONS PLAN**

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

WHEREAS, The Board of Supervisors of Montgomery County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, Montgomery County has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, Montgomery County has established the County Administrator as the Director of Emergency Services and the Emergency Services Coordinator as the Coordinator of Emergency Services; and

WHEREAS, The Montgomery County Department of Emergency Services recognizes the need for an Emergency Services Plan for Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby adopts the Emergency Operations Plan for Montgomery County dated November 2013.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Director of Emergency Services, or his/her designee, is tasked and authorized to maintain and revise as necessary this document over the next four (4) year period or until such time be ordered to come before this board.

Adopted this 28th day of October, 2013.

The vote on the forgoing resolution was as follows:

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

R-FY-14-55
MONTGOMERY COUNTY'S PRIORITIES
FOR THE FY 2015-2020 VDOT SIX-YEAR
ROAD IMPROVEMENT PLAN FOR
INTERSTATE AND PRIMARY ROADS

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

WHEREAS, Representatives of the Board of Supervisors of Montgomery County, Virginia have attended the Commonwealth Transportation Board's Preallocation hearings for a number of years to express grave concerns relative to conditions on Virginia Route 114 in Montgomery and Pulaski Counties, a major transportation artery serving as an east-west connector through the New River Valley which provides a vital link for daily work-related commuting for thousands of citizens, and the only primary highway serving the Radford Army Ammunition Plant; and

WHEREAS, The residents who live along Route 114 and in the surrounding area have presented petitions with 393 signatures to the Board of Supervisors requesting that the safety of the road be enhanced, including turn lanes and widening of the road; and

WHEREAS, The Board of Supervisors has also expressed concern relative to conditions on Virginia Route 8 in Montgomery and Floyd Counties; and

WHEREAS, Route 8 is a high traffic road with high population growth along its corridor, and provides the only access to Floyd County from Interstate 81 at Christiansburg; and

WHEREAS, At the Exit 114 interchange on I-81 at Route 8, traffic exiting I-81 both north and southbound backs up significantly on the ramps and often approaches the travel lanes of I-81; and

WHEREAS, The Board of Supervisors has also expressed concern relative to conditions on Route 11/460 in eastern Montgomery County; and

WHEREAS, The Board of Supervisors has expressed their desire for intersection improvements and median closures along Route 11/460 to improve the safety of the area; and

WHEREAS, The Park and Ride Lot at I-81 Exit 118 does not meet the capacity demands of its users, creating the need for additional parking, and creating safety and security risks for the adjacent Falling Branch Elementary School; and

WHEREAS, Patrons from the park and ride lot, on a regular basis, seek entrance into the Falling Branch Elementary School to use facilities, make telephone calls or seek refuge from the weather; and

WHEREAS, The above routes and park and ride lot have been identified as critically needed projects in order to improve the capacity, condition, safety and efficiency of our regional transportation system; and

WHEREAS, The Board has expressed their desire for the completion of the final phase of the Smart Road project, to provide a direct route for motorists between I-81 and Blacksburg to reduce traffic congestion and enhance safety in the area.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia emphasizes its continued desire for completion of the above projects and expresses its sincere appreciation to the Commonwealth Transportation Board for recognizing and considering the Board of Supervisors' comments to the aforementioned projects.

FURTHER, The Board of Supervisors wishes to thank the Commonwealth Transportation Board for the Route 114 New River bridge replacement project that is under construction, reinstatement of the Virginia Route 8 intersection with Fairview Church Road (SR 669) traffic light and turn lane improvements project, and for the inclusion of the Route 460 Interchange improvement project near Southgate Drive that is scheduled for construction.

FURTHER, The Board requests the upgrade of Virginia Route 114 in Montgomery County; this project was previously in the Six-Year Plan and was removed due to funding, and it is requested that this project be returned to the Six-Year Road Improvement Plan.

FURTHER, The Board requests the Commonwealth Transportation Board to consider upgrades to improve the safety on Route 8 from the southern corporation limits in the Town of Christiansburg through Montgomery County to the Floyd County line including, but not limited to, bringing the two lanes up to standard width, straightening the numerous dangerous curves and adding shoulders for disabled vehicles to pull onto.

FURTHER, The Board requests the Commonwealth Transportation Board to consider necessary upgrades to improve the safety at the Exit 114 interchange on I-81 for traffic exiting I-81 on both north and south exit ramps.

FURTHER, The Board requests the Commonwealth Transportation Board to implement improvements as recommended in VDoT's 2013 Route 8 Corridor Study, specifically the intersection improvements on Route 8 at Life Drive, Smith Creek Road and Camp Carysbrook Road.

FURTHER, The Board requests the Commonwealth Transportation Board to implement improvements on U.S. 11/460 in eastern Montgomery County, specifically intersection improvements and median closures as identified in VDoT's 2013 Route 11/460 Corridor Study.

FURTHER, The Board requests the Commonwealth Transportation Board to move the Park-and-Ride lot at I-81 Exit 118 to a location away from the Falling Branch Elementary School.

FURTHER, The Board requests the Commonwealth Transportation Board to consider completing the final phase of the Smart Road project to provide a direct route for motorists between I-81 and Blacksburg to reduce traffic congestion and enhance safety in the area.

BE IT FURTHER RESOLVED, The Board of Supervisors encourages the Commonwealth Transportation Board to approve the projects requested above and allocate funding to move forward with implementing the improvements which will enhance the safety in Montgomery County.

The vote on the forgoing resolution was as follows:

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

NEW BUSINESS

R-FY-14-56

**RESOLUTION AGREEING TO POST NOTICE OF INTENT TO
ABANDON 1.54 MILE PORTION OF ELLIOTT CREEK ROAD (SR 675)
PURSUANT TO SECTION 33.1-151 OF THE CODE OF VIRGINIA
AND SCHEDULE A PUBLIC HEARING**

On a motion by Mary W. Biggs, seconded by Gary D. Creed and carried unanimously,

WHEREAS, The County has received a request from Karen Dodson Whitt to abandon 1.54 miles of Elliott Creek Road (SR 675) from the intersection of Craigs Mountain Road (SR 674) heading east along Elliott Creek Road for 1.54 miles; and

WHEREAS, Karen Dodson Whitt owns the land on both sides of the 1.54 mile stretch of Elliott Creek Road east from the intersection of Craigs Mountain Road, with no other landowner having access to their property from this 1.54 mile section of Elliott Creek Road; and

WHEREAS, It appears to the Montgomery County Board of Supervisors that Elliott Creek Road Secondary Route 675 from the intersection of Craigs Mountain Road (SR 674) heading east for a distance of 1.54 miles, serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways; and

WHEREAS, The Board of Supervisors desires to announce their intent to abandon the 1.54 miles of Elliott Creek Road (SR 675) heading east from the intersection of Craigs Mountain Road (SR 674) and to schedule a public hearing for November 25, 2013, in order to hear citizen comments on the Board of Supervisors intent to abandon 1.54 mile portion of Elliott Creek Road (SR 675).

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to direct the Clerk of the Board to post and publish notice of the Board of Supervisors' intent to abandon the 1.54 mile portion of Elliott Creek Road (SR 675) heading east from the intersection with Craigs Mountain Road (SR 674) pursuant to Section 33.1-151 of the 1950 Code of Virginia, as amended and to schedule a public hearing for Monday, November 25, 2013, at 7:30 or as soon thereafter in the Board Chamber at the Montgomery County Government Center, located at 755 Roanoke Street, Christiansburg, Virginia, in order to hear citizen comments on the Board's intent to abandon the 1.54 mile portion of Elliott Creek Road (SR 675) heading east from the intersection of Craigs Mountain Road (SR 674).

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby directs the Clerk of the Board to send a certified copy of this Resolution to the Commissioner of the Virginia Department of Transportation.

The vote on the forgoing resolution was as follows:

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

**A-FY-14-48
LEAGUE OF WOMEN VOTERS
TRANSFER FROM GENERAL CONTINGENCIES
2014 FACTS FOR VOTERS BROCHURE**

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

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

<u>FROM:</u>		
950	General Contingencies	(\$200)
<u>TO:</u>		
910	League of Women Voters	\$200

Said resolution provides funds to the League of Women Voters for the 2014 Facts for Voters brochure.

The vote on the forgoing resolution was as follows:

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

ORD-FY-14-14
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION
OF APPROXIMATELY 8.01 ACRES
FROM AGRICULTURAL (A1) TO MULTIPLE FAMILY RESIDENTIAL (RM-1),
IN THE SHAWSVILLE MAGISTERIAL DISTRICT (DISTRICT C)
LOCATED AT 5201 TANGO LANE
SHAH DEVELOPMENT, LLC

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 the Board of Supervisors hereby finds that the proposed rezoning, 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 8.01 acres from Agricultural (A1) to Multiple Family Residential (RM-1), to allow 64 residential dwelling units with the following proffered conditions:

1. Conceptual Layout The Property shall be developed in substantial conformance with the conceptual plan prepared by Gay & Neel, dated October 16, 2013 (the "Concept Development Plan").
2. Density A maximum density of no more than 8.0 units per acre will be permitted.
3. Utilities Site shall be served by Montgomery County Public Service Authority public water and sanitary sewer.
4. Site Plan A detailed site plan subdivision plan in conformance with zoning ordinance requirements shall be submitted and approved by the zoning administrator and all other necessary local and state agencies prior to issuance of building permits for this development.
5. Trash Receptacles No individual trash receptacles shall be stored where visible from public Rights-of-Way. Community dumpsters will be provided and screened on all four sides.
6. Property Management A property management company and/or homeowner's association shall maintain all grounds, including but not limited to grass areas, recreational areas, parking and paved areas, walking trails and stormwater management area.
7. Screening A double row of screening trees shall be installed along the two adjacent residential property lines. Trees shall be staggered and no more than 25% of the trees on site will be one species.

8. Road Improvements Road improvements and turn lanes will be designed per VDOT requirements. Additionally, a hammerhead turnaround easement will be provided at the proposed entrance connection to Old Route 460 (present Route 603) until such time as turnaround improvements to Route 603 may be negotiated with Montgomery County and the Virginia Department of Transportation.
9. Landscaping Proposed buffer yard shall be in conformance with the requirements of the zoning ordinance and shall be installed prior to the issuance of a certificate of occupancy. Buffer shall not impede sight distance at the proposed or existing entrances. Landscaping along the Route 11/460 right-of-way frontage shall be in keeping with the Route 11/460 Corridor plan and include hardy ornamental tree species, such as Crepe Myrtles, arranged in irregular groupings and supplemented by groupings of low evergreen shrubs. No more than 25% of the trees on site will be one species.
10. Trail Connectivity Prior to the completion of the first eight units, a minimum 8' wide asphalt walking trail will be constructed along three sides of the site and will ultimately connect to a 5' wide concrete sidewalk on the fourth side to provide a continuous walking loop around the perimeter of the site. At such time as the proposed trail network outlined in the VITL plan is constructed and reaches the site, at least one additional 8' wide asphalt trail connection will be constructed to connect to the VITL trail network to the site's internal trail network.
11. Recreational Areas Prior to the completion of the first eight units, the existing asphalt basketball court will be rehabilitated, resurfaced, and maintained for active recreation space. Additionally, a minimum 2,500 square foot tot lot will be constructed with a minimum of a swing-set, slide, and jungle-gym type playground equipment as well as two park benches.
12. Construction Phasing Mass grading of the site will be completed prior to any construction of proposed units. Sanitary sewer, waterlines, and storm drain system infrastructure will be constructed and installed as necessary for each building.
13. Architectural Design A mixture of brick, stone and vinyl siding materials shall be utilized in the construction of the townhomes to provide a diverse look between the units.
14. Fire Hydrants A minimum of four fire hydrants will be installed on the site for fire suppression. Hydrants will be installed prior to the completion and sale of adjacent units to ensure compliance with state and local fire code requirements.
15. Bus Shelter A minimum 5' x 14' bus shelter constructed of durable, architecturally sound materials that will withstand continual exposure to the elements shall be provided at one of the proposed site entrances with the specific location to be determined at a later date.

The subject parcel is located at 5201 Tango Lane and identified as Tax Parcel No. 060-1-A, (Account No. 070690) 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 Mixed Use within the Elliston/Lafayette Village Plan.

This action was commenced upon the application of SHAH Development, LLC (Agent: Gay and Neel, Inc.).

This ordinance shall take effect upon adoption.

The vote on the forgoing ordinance was as follows:

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

INTO WORK SESSION

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

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

1. Transition Public Service Authority to a County Department.

The vote on the forgoing motion was as follows:

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

Transition Public Service Authority to a County Department

The Board of Supervisors requested information on transitioning the Public Service Authority to a County Department. A resolution to concur with the Public Service Authority Board that the County will accept the PSA as a department and all the obligations of the Public Service Authority, to acquire all the assets of the Authority and accept all liability and debt, and to begin the process of phasing out the affairs of the Public Service Authority will need to be adopted by the Board of Supervisors.

The County will also need to request the General Assembly to grant the County authority to require mandatory water and sewer connections. It was Board consensus to request the state legislators to enter a bill requesting Montgomery County be added to the list of counties that can authorize mandatory water and sewer connections. The request will also be added to the County's legislative priorities for the 2014 General Assembly Session.

OUT OF WORK SESSION

On a motion by Christopher A. Tuck, seconded by Matthew R. Gabriele 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>	<u>ABSENT</u>
Christopher A. Tuck	None	James D. Politis
Matthew R. Gabriele		
Gary D. Creed		
Annette S. Perkins		
Mary W. Biggs		
William H. Brown		

COUNTY ATTORNEY'S REPORT

VT On-Campus Polling Precinct - The County Attorney reported that staff continues to work with the Registrar's Office and Virginia Tech in creating an on-campus polling precinct at Virginia Tech.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator reported on the following items:

- The Planning Director's position vacancy and the new Stormwater Management position have been advertised.
- The grand opening of the new Art Center at Virginia Tech will be held November 1, 2013 at 10:00 a.m.
- A special work session is scheduled for Monday, November 4, 2013 at 6:00 p.m. for a presentation on FY 13 Year End.

BOARD MEMBERS REPORTS

Supervisor Biggs requested the Public Information Officer get out information pertaining to the storm water management requirements that the County is mandated by the State to put in place. She believes any information that the County can get out will inform and educate the citizens on the fees that will need to be passed along to the citizens.

New River Community Services Board adopted their Five Year Strategic Plan. She will e-mail the information to the County Administrator and requested it be placed on the County's website also.

Supervisor Tuck expressed concerns with the storm water management requirements and the associated cost that will be passed down to the citizens. A portion of the fee is mandated to go to the State and asked how the State will be using this revenue. He requested the County send a letter to the County's federal and state legislators requesting additional information on how the State plans to appropriate this money.

By consensus, the Board authorized staff to send a letter to the County's federal and state legislators requesting their plan for the storm water regulation and how the fees collected will be used.

Supervisor Gabriele commented that the County Seal seems to be outdated and questioned if it is time to consider a new design. The County is undergoing a new tourism initiative and branding so it may be a good opportunity to consider it at the same time. He suggested that maybe the County can solicit a design contest.

Supervisor Perkins reported the Roanoke Valley Area MPO will be studying public transportation in the Roanoke area (City and County) and may include the surrounding boarders, such as Franklin and east Montgomery County. They want to determine how new development will impact ridership and where public transportation is needed. RVMPO also allocated \$300,000 towards a study on the intermodal facility in the area.

ADJOURNMENT

The Vice-Chair declared the meeting adjourned to Monday, November 4, 2013 at 6:00 p.m. The meeting adjourned at 9:20 p.m.

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