

AGENDA
BOTETOURT COUNTY BOARD OF SUPERVISORS
TUESDAY, JANUARY 26, 2016
GREENFIELD EDUCATION AND TRAINING CENTER
ROOMS 226, 227, AND 228
DALEVILLE, VIRGINIA 24083
BEGINNING AT 2:00 P. M.

I. Business Items:

- Call to Order. (Scothorn)
- Election of Board of Supervisors Chairman and Vice-Chairman for 2016.
- Announcement of Fire/EMS employee promotions. (Beckner)
- 1. Closed session to consult with legal counsel regarding actual or probable litigation as per Section 2.2-3711(A) (7) of the Code of Virginia of 1950, as amended.
- 2. Approval of minutes of the continued meeting held on December 15, 2015.
Approval of minutes of the regular meeting held on December 17, 2015.
- 3. Approval of Transfers and Additional Appropriations. (Zerrilla)
- 4. Approval of Accounts Payable and ratification of the Short Accounts Payable List.
(Zerrilla)

II. General Items:

- 5. Adoption of Board of Supervisors' bylaws, consideration of various committee/ commission/board appointments, and consideration of rescheduling the December 2016 meeting. (Larrowe)
- 6. Consideration of amendments to the Employee Personnel Policy Manual. (Moorman)
- 7. Consideration of a resolution approving the award of a contract under emergency procurement provisions for archaeological services on two sites in Greenfield.
(Moorman)
- 8. Consideration of amendments to Chapter 21. Subdivisions of the Botetourt County Code regarding site plans. (Lockaby/Pendleton)
- 9. Staff report from the Vacation Rental and Homestay Advisory Committee. (Pendleton)
- 10. Consideration of a resolution in opposition to the closure of Catawba Hospital.
(Larrowe)
- 11. Other Items:
 - Committee reports.

III. Appointments:

- 12. A. The term of Mr. S. E. Cash on the Building Code Board of Appeals expires on March 17, 2016. This is a four year term.
- B. The term of the Amsterdam District representative on the Board of Zoning Appeals expires on March 31, 2016. This is a five year term.
- C. The term of the County's representative on the Roanoke Valley Broadband Authority expired on December 13, 2015. This is a four year term.
- D. Appoint Mr. Gary Larrowe as the County's representative on the Western Virginia Regional Industrial Facility Authority for a term to expire on February 3, 2018.
- E. Designation of Mr. Drew Pearson as County Deputy Subdivision Agent.

III. Appointments (cont.):

F. Appoint Mr. Gary Larrowe as the County's representative to the Roanoke Valley Convention and Visitors Bureau's Board of Directors. This one-year term expires on June 30, 2016.

IV. Items at Specific Times:

13. 3:00 P. M. Presentation by Corbin Stone on the FY 15 County financial report.
 14. 3:15 P. M. Highway Department:
 - A. Monthly update report. (Hamm)
 15. 4:00 P. M. Presentation on the DSLCC Promise Program. (Dr. Rainone)
 16. 4:30 P. M. Consideration of a request to a change in proffers in accordance with Section 15.2-2302 of the Code of Virginia and consideration of a change in proffers associated with Daleville Town Center. (Pendleton)
 17. 5:00 P. M. Closed session to discuss personnel matters; a prospective business or industry not previously announced and the expansion of an existing business or industry not previously announced; and consultation with legal counsel regarding actual or probable litigation as per Section 2.2-3711(A) (1), (5) and (7) of the Code of Virginia of 1950, as amended.
- 6:00 P. M. Public hearings:
18. Fincastle Magisterial District: Fraley Family Restated Irrevocable Dynasty and Fraley Family Irrevocable Dynasty Trust (Apex Clean Energy, Inc., lessees) requests a Commission permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Forest Conservation (FC) Use District to construct a wind energy system, utility-scale, on two parcels; the first being 4,350.00 acres and the second being 1,520.49 acres. Approximately 200 acres located within the boundaries of these properties will be utilized for up to 25 wind turbines and ancillary equipment and the related construction, operation, and maintenance thereof. The turbines will be no greater than 550 feet in height and are proposed to be located along approximately 3.5 miles of the southernmost portion of North Mountain. The entrance will be generally located on the north side of secondary Route 622 (Dagger Spring Road), approximately 5.2 miles east of the intersection of Route 622 and secondary Route 694 (Gala Loop), to be accessed by a proposed gravel road, identified on the Real Property Identification Maps of Botetourt County as Section 13, Parcel 2 and Section 20, Parcel 3. (Pendleton)

The Planning Commission recommended conditional approval of this request.

AGENDA ITEM: Post-Closed Session Resolution

Administrator's Comments:

The following resolution or something similar is required for Board adoption following Closed Sessions per Section 2.2-3711(A) of the Code of Virginia. As per the Freedom of Information Act (FOIA) requirements, a roll call vote is required on this motion.

Recommendation:

Adopt the following resolution:

BE IT RESOLVED, that to the best of the Board members' knowledge, only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed, or considered during the Closed Session.

A joint work session between the Botetourt County Board of Supervisors and the Botetourt County School Board was held on Tuesday, December 15, 2015, in Room 229 of the Greenfield Education and Training Center, in Daleville, Virginia, beginning at 6:30 P. M.

PRESENT: Members: Dr. Donald M. Scothorn, Chairman, Board of Supervisors
 Mr. Jack Leffel, Vice-Chairman, Board of Supervisors
 Mr. Billy W. Martin, Sr., Member, Board of Supervisors
 Mr. Todd L. Dodson, Member, Board of Supervisors
 Mr. John B. Williamson, III, Member, Board of Supervisors
 Mrs. Ruth Wallace, Chairman, School Board
 Mrs. Kathy Sullivan, Vice-Chairman, School Board
 Mr. Michael Beahm, Member, School Board
 Mr. John Alderson, Member, School Board
 Mr. Scott Swortzel, Member, School Board

ABSENT: Members: None

Others present at the meeting:

Mr. David Moorman, County Administrator
 Mr. Tony Zerrilla, Director of Finance
 Mr. Cody Sexton, Information Specialist
 Mr. Gary Larrowe
 Mr. John Busher, Superintendent of Schools
 Dr. Brian Austin, Assistant Superintendent of Schools
 Mrs. Betty Holland, Clerk to the School Board

At 6:30 P. M., Dr. Scothorn called the Board of Supervisors meeting to order. Mrs. Wallace then called the School Board meeting to order and welcomed everyone to the meeting.

Dr. Scothorn stated that this is the third joint meeting this year between the Supervisors and the School Board. He noted that the agenda for tonight's meeting includes a presentation by the schools on their recent enrollment study and a presentation by the County staff on strategic and economic outlook and planning.

Mrs. Wallace then introduced Mr. Busher who stated that the school staff has been tracking school enrollment figures for some time and how it changes over the years. Mr. Busher stated that in early October Dr. Austin was asked to put together some past, present, and potential future school population data. He noted that the history of the County's school enrollment was reviewed and, as they studied this data, questions were raised regarding north County and south County development.

He noted that the School Board reviewed this information in October and they believe that it is important for both the Supervisors and School Board to view this information collectively.

Dr. Austin then reviewed a chart containing student population data by grade level as of September 30, 2014 (4,810), projected figures for January 2015 (4,725), and actual enrollment figures as of September 30, 2015 (4,705). He noted that the September 30, 2014 figure (4,810) is used in School budget calculations for the following fiscal year and the March 31, 2015, figure (4,780) is used by the State of Virginia to determine the amount of funding allocated by the State to the County's school system.

Dr. Austin stated that, in calculating their January 2015 student population figures, they compared the number of seniors (402) versus the number of kindergarteners (300). He noted that the 2015 data also shows that there are more 9th graders than 8th graders and the biggest changes in enrollment are between 5th graders (348) and 6th graders (391). Dr. Austin stated that these figures are used to track how the number of kindergarteners changes over 13 school

years. He noted that the actual September 2015 student population figure was 20 students less than the January 2015 projection.

Dr. Austin stated that they also use the Health Department's yearly live birth data for the County to estimate the number of kindergarteners the school system can expect to receive in five years. He noted that the County's live birth rates have been decreasing since 2012 and are expected to continue to decrease in the next few years because of the aging population and the low number of young families moving into the County.

Dr. Austin then reviewed a chart showing the grade-level shift in students from one year to the next, e.g., in September 2013 there were 393 seniors but only 325 kindergarteners were enrolled as of September 2014; in September 2014 there were 388 seniors but only 301 kindergarteners enrolled as of September 2015. He noted that approximately 80% of the students that attend school on the first day in August registered in the system in the previous February.

Dr. Austin noted that last year's student population was higher than anticipated; however, this year's figure was less than estimated.

Mr. Williamson noted that by his calculations this decrease in student population is costing the schools approximately \$750,000 each year. After questioning by Mr. Williamson, Dr. Austin stated that the County has a new composite index figure which is $\frac{1}{2}$ of a percent higher than the current figure.

Dr. Austin then displayed a chart showing student enrollment figures from 1968-69 (4,065) through 2018-2019 (estimate) (4,287) and March 31 average daily membership (ADM) figures from 1933-34 (3,800) through 2017-18 (estimate) (4,287). He noted that the County's student population has been cyclical over this 80+ year period.

Mr. Busher stated that the school system is paid based on the number of students that walk through their buildings. He noted that, when the County's residential development increased, the school system saw a corresponding student population increase. Mr. Busher questioned if the County is anticipating more homes being built for young families and how much availability of rental homes and patio homes will there be in the next few years.

Mr. Williamson stated that there was a building boom in the Blue Ridge area from 1965-1985; Cloverdale began to be developed from 1985-2005; and then the recession hit in 2007-2008 and these events show corresponding increases and decreases in student population during those periods.

Mr. Busher stated that "this goes back to the County's planning for future development." He noted that the County and Schools should be working together in the aspects of long-term planning.

Dr. Austin then questioned where does the current and projected downward spiral in student population stop or turnaround. He then reviewed student ADM figures compared to County census population figures from 1939-40 through 2013-2014. Dr. Austin noted that during this period the ADM figure increased from 3,502 to 4,777 and the County's population increased from 16,447 to 33,100. Dr. Austin also reviewed a chart containing more detailed census data from 1990 through 2014 with breakdown data of children under 5 years, under 18 years, and adults 65 years of age and older, as well as the County's median age, persons per household; housing units, vacancy rate percentages, etc. He stated that the data shows that there are fewer children under the age of 5 during this period and the population of those residents 65 and above has increased.

After questioning by Mr. Williamson, Mr. Busher stated that the decrease of children 5 years of age and younger and an increase of citizens 65 and above is true for most localities in Virginia west of Route 29. Mr. Busher stated that localities are having to change their identity in order to encourage younger families to locate in their jurisdiction. He further noted that most of this area's industry is located in Roanoke and Botetourt County has been considered a "bed-room community" for many years.

Mr. Busher further noted that in the past year Norfolk Southern Railroad decided to relocate several thousand of its workers to the eastern part of the State; some of whom lived in and their children attended schools in Botetourt. He noted that, with the high schools' block scheduling of classes, January 2015 "will be an interesting month" for the school system as they see how many families/students have left the County after the end of the fall semester.

Dr. Austin stated that, according to the census figures, the number of housing units in the County has increased since 1990; however, the vacancy rate has also increased. He noted that the County's population has increased and the UVA Weldon-Cooper Center for Public Service projects that this will continue through 2040. He noted that because the number of students and the birth rates are declining this will affect the amount of future State funding received for school operations.

Mr. Busher stated that all of the data presented today is good information but it results in questions as to "where we will go in the future." Mr. Busher stated that he will keep both boards informed as to their January 2016 student population figure.

Dr. Scothorn thanked Mr. Busher and Dr. Austin for their presentation.

He then noted that Mr. Moorman would update the boards on the County's strategic and economic outlook and planning.

Mr. Moorman stated that this strategic and economic development outlook will hopefully be used to combat the funding issues raised if the student population decreases in the future. He noted that it is extremely difficult to find a house to rent in Botetourt County and the County does not have the housing available to encourage families with children to move here.

It was noted that some of the newer rental units charge as much as a single family dwelling's monthly mortgage payment.

Mr. Dodson noted that the County's vacancy rates as shown during the School Board's presentation was interesting information.

Mr. Swortzel noted that the owners of vacant homes in his neighborhood live elsewhere but they do not rent out their Botetourt dwellings.

Mr. Dodson noted that the County also has an increasing number of vacation/short-term rentals.

Mr. Moorman noted that there is a lot of change occurring and we are unsure where this is going and how it will impact the County but staff believes that it will open a lot of future opportunities. He noted that his presentation this evening will include an overview of the County's strategic planning outlook including demographics, finances, and the County's economic development outlook including industrial development, the commercial development (Exit 150) study, and the agricultural development (Agricultural Study).

Mr. Moorman noted that the County is one year into its 25 year strategic visioning process. He noted that the Supervisors identified 42 goals during their strategic planning meetings last year and staff are actively working on 19 of these goals at this time. Mr. Moorman noted

that the strategic plan is a “driver” in the development of the FY 17 County budget and staff is trying to ensure that the budget is based on good, sound data.

Mr. Moorman then reviewed population charts compiled from Weldon-Cooper Center data for 2014, 2020, 2030, and 2040 including population distribution based on male/female parameters and the percentage of age groups of each sex. He noted that this data indicates that the County’s 50+ population increasing during this period.

Mr. Alderson stated that from 1980 to 2010 the country’s economy was down due to situations that the County had no control over. He questioned what can the Board of Supervisors do to influence the aging trend of the County’s population. He noted that the County has previously concentrated on expanding industrial and commercial development.

Dr. Scothorn noted that in the 1970s and 1980s many women did not work and had several children at home whereas now they work and may only have one child. He noted that women are working because of their family’s economic needs.

Mr. Moorman noted that the 2040 population distribution data shows an even age distribution among the County’s residents except for the 20 – 29 age group which is estimated to be less than 4% of the male and female population. He noted that this data indicates that there will be few child-bearing age women in the County and, if the in-migration numbers do not materialize, then this number will increase.

Mr. Moorman then reviewed commuting patterns to and from the County. He noted that 1/3 of County residents work in the County and 2/3 go outside the County to work. He noted that 15,000 workers go out of the County to work and 57% of residents commute within Botetourt County to work. He noted that, if the County wants to grow its population, then job opportunities within the County need to increase.

Mr. Moorman then reviewed the governmental sources of revenues received by the County, e.g., local, State, federal, and how the local revenues are generated, e.g., general property taxes (real estate, personal property, and machinery and tools taxes), permits, fees, charges for services, revenues from use of money/property, etc. He noted that almost 80% of the County’s revenues are from local sources and machinery and tools taxes are the County’s third largest revenue source.

After questioning by Mr. Williamson, Mr. Moorman stated that it would take a 10¢ real estate tax increase to offset the revenues received from machinery and tools taxes.

Mr. Moorman then reviewed non-property tax revenues, e.g., local sales and use taxes, utility tax, motor vehicle license fee, business license tax, food tax, etc. He stated that the County has little ability to increase these rates and the hotel/motel and meals taxes can only be increased upon receiving permission from the Virginia General Assembly.

Mr. Moorman then reviewed the County’s expenditures by area, e.g., schools, community development, public safety, parks and recreation, etc., and noted that most of these expenditure categories are not discretionary. Mr. Moorman noted that the increase in parks and recreation-related expenditures has been at the discretion of the Board of Supervisors. He further noted that the total number of building permits issued by the County increased in the mid-to-late 1990s and, since the 2008 recession, the County’s residential construction has decreased. Mr. Moorman stated that the County’s commercial/industrial permits have increased over the years and have held steady during the recent recession.

Mr. Moorman stated that the Supervisors’ top priority during their visioning process last year was increasing economic development. He noted that, in today’s economic development

world, local governments have to “ante-up to play,” which includes investments in business parks, schools, and incentive programs to attract new businesses. Mr. Moorman stated that the rules and tactics change with every prospect, creativity is a necessity, and competition for these prospects is fast and fierce. He noted that economic development is a different world now compared to 10 or 20 years ago.

Mr. Moorman stated that the community has to be engaged in economic development for it to thrive and be prosperous and the County should “play to its strengths,” e.g., natural strengths such as natural features, developable land, and proximity to Roanoke and the Port of Virginia; and developed strengths such as transportation, development parks, educated and skilled workforce, business-friendly environment, alliances and partnerships, etc. He noted that alliances and partnerships and the County’s school system have to be a part of this process for the community to be effective in economic development.

Mr. Alderson stated that another strength is the County’s availability of abundant energy, e.g., electrical and natural gas transmission infrastructure.

Mr. Moorman stated that the area’s energy costs have increased compared to our out-of-State competitors but the rates are still competitive. He noted that AEP has moved away from using coal to generate electricity and this has resulted in higher electrical generation rates.

Dr. Scothorn stated that the rules of the economic development game change frequently and the County/State cannot compete against multi-million dollar value incentives offered by states such as South Carolina.

Mr. Martin noted that the biggest problems that the County has are obtaining monetary incentives from the State for economic development recruitment opportunities. He noted that Botetourt County also does not have access to the funds available through the Tobacco Region Revitalization Commission.

Mr. Moorman stated that economic development is a regional effort; not just a community effort. He noted that the County has updated the zoning options at Greenfield to ensure that it allows for the entire life-cycle of economic development from research to production and shipping. Mr. Moorman stated that the County has also simplified the covenants and restrictions on the Greenfield property, constructed a pad-ready site, are in the process of having a shell building constructed on the property, diversified site/acreage options, and the County is working with Virginia Western Community College to rededicate the ETC as a workforce center.

Mrs. Wallace stated that the schools also have the Botetourt Technical Education Center and the STEM-H Academy at the ETC which offer high school students college-level courses and workforce certifications.

Mr. Moorman then stated that improvements to Exit 150 are underway to improve the functionality of this interchange by restricting access, improving traffic movements, and dispersing traffic. He noted that the County contracted with RKG Associates to conduct a study on the potential development opportunities of these intersection improvements.

Mr. Moorman noted that the study’s findings included retail, hotel, and multi-family marketing opportunities. He noted that successful retail opportunities include intercepting travelers and regional shoppers, and the availability of quality sites with access and visibility. Mr. Moorman stated that the consultant estimates that the area could support between 215,000 and 328,000 square feet of diverse retail offerings.

He stated that the consultant believes that there is also the potential for an additional 1 – 2 hotels in the Exit 150 area offering between 80 and 150 new rooms. Mr. Moorman further stated that the consultant also indicated that there could be a market for multi-family development in a mixed-use environment with the potential for 25 – 50 new units per year.

After discussion, Mr. Moorman stated that the consultant also reviewed the land use in the Exit 150 area and suggested development and redevelopment options in each of four sections (east, south west, and north) of the interchange. He noted that transportation improvements are critical to the Exit 150 area and it will take time and resource investments for the development/redevelopment to occur.

Mr. Moorman then reviewed concepts/options suggested for each section of the interchange, e.g., working with VDoT and the Appalachian Trail to create a parking area near Botetourt Commons, realign the Exit 150B southbound off-ramp with Tinker Mountain Drive and add a stoplight at this intersection to allow the Talbott/Fralin & Waldron properties to be used for mixed-use residential and commercial development, development potential along the newly-constructed Gateway Crossing and potential extension of Gateway Crossing to connect with Old Route 604 to open up the acreage behind the former Winn Dixie shopping center for development, and partner with VDoT for a park-and-ride facility and passive recreational uses on the former truck stops property.

Mr. Dodson stated that this area is a catalyst for the Board's discussions on expanding the County's economic development options.

After questioning by Mr. Beahm, Mr. Moorman stated that the County has entered into a maintenance agreement with VDoT for the roundabout area.

Mr. Moorman noted that the area off of Route 11 south of the Route 220 intersection also needs to be transformed so that economic development opportunities for the entire interchange can improve.

After questioning by Mr. Alderson, Mr. Moorman stated that the Exit 150 construction work should be finished by the end of 2017.

Mr. Moorman then reviewed various development challenges as identified by the Exit 150 Study consultant, e.g., lack of development-ready sites and a large amount of privately-owned land, regional market gravity is located in Roanoke, topography issues and associated site development costs, needed transportation and access improvements to unlock major development opportunities, essential need for partnerships, and land use/planning/zoning should be coordinated/updated to facilitate what will happen in the Exit 150 area.

He then reviewed the study's recommendations, e.g., create organizational strategy, improve access to key development sites, make necessary public infrastructure improvements to stimulate private investment, determine financing mechanisms for public investments, and adopt a policy to provide incentives for private investment.

Mr. Moorman stated that the staff recommended nine action steps to implement the Study's recommendations: create a steering committee consisting of community representatives; develop/implement planning/zoning measures to encourage development; provide skilled and experienced staffing; establish a reliable and dedicated source of funding and a program budget for Gateway Center development; define performance measures; develop/report progress against an annual development plan; reorganize the Industrial Development Authority to an Economic Development Authority; and develop/execute a targeted marketing plan for presentation to the citizens.

Mr. Moorman also stated that the County contracted with a consultant (Dr. Terry Rephann with UVA's Weldon-Cooper Center) to conduct an Agriculture Study in 2015. He noted that Mr. Leffel and Mr. Williamson served on a committee overseeing this project. Mr. Moorman stated that the Study's intent was to emphasize innovative/sustainable farming practices and create a strategic outlook for agriculture in order to reinvigorate northern Botetourt County.

Mr. Moorman noted that the percentage of farm employment in the County has dropped from 19% in 1969 to 4% in 2013. He then reviewed charts showing the 2012 percentage of farms by value of sales in the County and State and the number and type of farms in the County from 1997 to 2012. Mr. Moorman noted that most of the County's farm sales are less than \$2,500 per year and a majority of the farmland is used for beef cattle ranching and farming and other types of crop farming.

Mr. Beahm stated that the high value/high return crops are the smallest percentage of total farms.

Mr. Moorman stated that the Agriculture Study's recommendations include: improving administration, planning, and policy coordination for agriculture, preserving farmland, facilitating farm succession and the agricultural workforce, promote agriculture innovation and entrepreneurship, expand local food sales/production/capacity, enhance agricultural marketing and promotion, and improve farm viability and profitability.

He noted that this Study's implications for the school system are that active partnering is imperative, strong education and workforce development is necessary, development and growth is focused in the southern part of the County and rural preservation with future-oriented economic opportunity focus for the northern areas, and emphasize becoming a more diversified/complete community. He noted that the Board's vision is to go beyond these parameters, including providing services/conveniences that people want in the County without having to travel to Roanoke.

Mr. Leffel stated that the Agriculture Study came about because of the school system and how more school-age children are needed to make the County's school population more viable. He noted that it is the Board's priority to have the Exit 150 project completed in order to open up the area for additional economic development opportunities and, with all of the County's open agricultural land, to create a brand for a regional market for Philadelphia, Washington, DC, and Atlanta.

Mr. Leffel stated that the Board is serious about agriculture but it will take time and, at the end of the day, it will make the school system much stronger.

Mr. Busher stated that the median age of farmers is increasing but noted that the School Board recently recognized some national Future Farmers of America winners from the County so younger people are interested in agriculture. He noted that the County needs to improve its farmland but land also needs to be available for young people to farm. Mr. Busher stated that the County has a partner in agriculture with the schools.

He then noted that the County's population is still concentrated in the southern end of the County and this has resulted in the school system reviewing their buildings' capacities, ascertaining facility operational costs, and their current and future building and structural needs.

After questioning by Dr. Scothorn, Mr. Busher stated that Spectrum Design is conducting this school capacity study. He noted that a draft copy of the report should be available later this

week and a formal presentation will be made to the School Board at their January 2016 regular meeting.

After discussion, Mr. Busher stated that the study will concentrate first on the elementary schools. He noted that the School Board will have some pertinent decisions regarding these facilities to make in the future.

Dr. Scothorn stated that, at the next joint meeting, he would like to have this school facility information available for discussion.

Mr. Busher stated that the study data will be used during a walk-through of each school with Spectrum's representatives and he invited one or two Board of Supervisors members to participate in these facility reviews. He estimated that these walk-throughs would be held in late January/early February 2016.

Mr. Williamson stated that there is the potential for additional in-fill residential development in the southern portion of the County especially with the availability of public water and sewer service. He estimated that an additional 3,000 – 4,000 housing units could be developed based on the area's current zoning.

After discussion, Mr. Williamson stated that the County will be a product of the larger regional economy. He noted that the County's efforts to invigorate the local economy will depend on population, housing growth/infill, etc., in the southern portion of the County and some population growth in the northern sections.

Mr. Busher stated that the school system needs to enter into partnerships with the County's farmers to provide mentoring opportunities for high school students in the farming business.

Discussion was then held on scheduling the next joint meeting. Dr. Scothorn noted that these meetings have been held approximately every three months, which would mean that the next meeting would be in March 2016. After discussion on members' and staff's schedules, a date of March 8, 2016, was set for the next joint Supervisors/School Board meeting.

Dr. Scothorn thanked Mr. Busher and Mr. Moorman for their presentations.

Mr. Beahm also thanked Mr. Busher and Mr. Moorman for providing a lot of information for the members to consider.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Williamson, and carried by the following recorded vote, the Board of Supervisors meeting was adjourned at 8:10 P. M. (Resolution Number 15-12-01)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Beahm, and carried by the following recorded vote, the School Board meeting was adjourned at 8:11 P. M.

AYES: Mr. Beahm, Mr. Alderson, Mrs. Wallace, Mrs. Sullivan, Mr. Swortzel

NAYS: None

ABSENT: None

ABSTAINING: None

The regular meeting of the Botetourt County Board of Supervisors was held on Thursday, December 17, 2015, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P.M.

PRESENT: Members: Dr. Donald M. Scothorn, Chairman
Mr. L. W. Leffel, Jr., Vice-Chairman
Mr. John B. Williamson, III
Mr. Billy W. Martin, Sr.
Mr. Todd L. Dodson

ABSENT: Members: None

Others present at the meeting:

Mr. David Moorman, Deputy County Administrator
Mr. Michael W. S. Lockaby, County Attorney

The Chairman called the meeting to order at 2:01 P. M.

The Chairman then asked for a moment of silence. Mr. Williamson then led the group in reciting the pledge of allegiance.

Dr. Scothorn then recognized House of Delegates member Terry Austin as being in attendance at today's meeting. He noted that Delegate Austin would like to present a House of Delegates' approved resolution to Mrs. Estelle Avner, a resident of Blue Ridge.

Delegate Austin thanked the Board for allowing him the opportunity to make this presentation at their meeting. He stated that Mrs. Avner created the Bradley Free Clinic in Roanoke and was its Director for many years. Delegate Austin stated that this clinic provides free medical services three days a week to accommodate those citizens than cannot afford them.

Delegate Austin then read House Bill 527 which was adopted by the House of Delegates in August 2015. The resolution commended Mrs. Avner for her "contributions to the State" in providing for the "health and wellness of the patrons of the Roanoke region."

Mrs. Avner thanked Delegate Austin for this proclamation. She noted that the people in the Roanoke Valley community did all of the work and noted that the Botetourt County Board of Supervisors has always financially supported the Clinic. Mrs. Avner stated that she is touched to receive this proclamation and appreciates the members of her family for being present today.

Mr. Martin stated that Mrs. Avner was greatly responsible for all of the work done by the Clinic and everyone appreciates the years of time and effort that she has provided to the Clinic.

Dr. Scothorn noted that Vistar Eye Center has provided services to many of the Clinic's patrons over the years and what the patients get out of this service is fantastic.

Salem Sheriff Rick Atkins was then present to recognize the Botetourt County Sheriff's Department for achieving recertification by the Virginia Law Enforcement Professional Standards Commission. Sheriff Atkins stated that he has been involved in the accreditation process since 2002.

He noted that this is a very demanding process which involves a thorough inspection by a Sheriff's Department peer group. Sheriff Atkins stated that this recertification is not easy to obtain initially and it is even more difficult to maintain. He noted that of the over 400 law enforcement agencies in the State, only 92 have obtained this certification since 1998 and Botetourt County received this designation in 2015 for the fourth time.

He then presented the certificate to Sheriff Ronnie Sprinkle and congratulated him on a job well done.

Sheriff Sprinkle thanked the Board for allowing this presentation to be given at today's meeting. He also thanked Deputy Greg Marshall who is the Sheriff Department's Accreditation Manager for his work throughout this process. Sheriff Sprinkle also expressed his appreciation to his department and staff for their contributions and assistance toward this recertification process. He noted that the staff have to buy into this concept and do the best they can for the process to work.

The Board congratulated Sheriff Sprinkle for obtaining this certification for the fourth time.

Mrs. Nicole Pendleton, Zoning Administrator, then introduced Mr. Drew Pearson to the Board as a new County Planner. She noted that Mr. Pearson previously worked for 20 years in the Gastonia, North Carolina, Planning Department, he has an Associate's Degree in Applied Science, is a certified flood plain manager, and has extensive experience in planning and zoning.

The Board welcomed Mr. Pearson to employment with Botetourt County.

Mr. Pearson stated that he is very excited to be with the County after going through a good interview process and he has a lot of respect for the people he met in these interviews. Mr. Pearson stated that he has been on the job for several weeks and it appears to be a great place to work and he looks forward to serving the Board and the County's citizens.

Consideration was then held on approval of minutes.

Dr. Scothorn noted that, as he was not in attendance at the Board's special meetings on November 17 and December 1, he would abstain from voting on those meetings' minutes.

After discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the minutes of the special Board meetings held on November 17 and December 1, 2015, were approved as submitted. (Resolution Number 15-12-02)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

On motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the minutes of the regular meeting held on November 24, 2015, were approved as submitted. (Resolution Number 15-12-03)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on requests for transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was one transfer and two pass-through appropriations for the Board's consideration this month. He noted that these were for funds received as expenditure reimbursements.

After discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following transfer and additional appropriations. (Resolution Number 15-12-04)

AYES: Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn, Mr. Williamson

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$530.47 to Central Purchasing – Store Supplies, 100-4012530-6021, from various departments as follows for store supplies usage:

\$165.00	County Administrator – Office Supplies, 100-4012110-6001
\$ 49.30	Dep. County Admin. – Office Supplies, 100-4012121-6001
\$165.00	Comm. of Revenue – Office Supplies, 100-4012310-6001
\$ 7.18	Technology Services - Office Supplies, 100-4012510-6001
\$ 35.99	Purchasing – Office Supplies, 100-4012530-6001
\$ 36.00	Sheriff's Dept. – Office Supplies, 100-4031200-6001
\$ 60.00	Fire & EMS – Uniforms & Wearing Apparel, 100-4035500-6011
\$ 12.00	General Services – Office Supplies, 100-4040000-6001

Additional appropriation in the amount of \$1,000 to Sports Complex – Purchase of Services - Other Government Entities, 100-4031700-3800. These are funds received from the NCAA for reimbursement of umpire expenses for a national softball tournament championship.

Additional appropriation in the amount of \$922.95 to the following Sheriff's Department accounts: \$900.00 Ballgame Pay, 100-4031200-1500; and \$22.95 to FICA, 100-4031200-2100. These are funds received for providing security at LBHS playoff games.

Consideration was then held on approval of the accounts payable list and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$724,038.54; \$722,329.68 in General Fund expenditures; and \$1,708.86 in Debt Service Fund invoices. He noted that the Short Accounts Payable totaled \$277,340.74; \$274,285.74 in General Fund expenditures; and \$3,055 in Debt Service Fund invoices.

Mr. Zerrilla stated that this month's large expenditures included a \$30,000 wire transfer to Timberworks of Interest, LLC, as a deposit for work to stabilize and relocate the two Greenfield historic structures, account number 100-4094733. He noted that the accounts payable also include a payment of \$34,000 to Robinson, Farmer, Cox Associates for work on the County's FY 2015 audit; \$85,200 to S3 Integration, LLC, for security system updates at the Jail; and \$38,743 to Blue Ridge Behavioral Healthcare for their FY 16 budget allocation.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the Robinson, Farmer, Cox and Jail security system invoices are within the allocated budget amounts for these projects.

After questioning by Dr. Scothorn, Mr. Zerrilla stated that, to date, \$137,000 has been spent on the Jail's security system upgrade project.

There being no further discussion, on motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the accounts payable list and ratified the Short Accounts Payable List as submitted. (Resolution Number 15-12-05)

AYES: Mr. Martin, Mr. Williamson, Mr. Dodson, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a resolution approving the award of a contract under emergency procurement provisions to Timberworks of Interest, LLC, to relocate two historic structures on the Greenfield property. Mr. David Moorman, County Administrator, stated that at

their November regular meeting, the Board authorized County staff to procure archaeological and building moving services regarding the two historical structures on the Greenfield property.

He noted that, given the time constraints to accomplish this work, staff awarded a contract to Timberworks of Interest on December 5, 2015 under the Procurement Policy's emergency procurement requirements. Mr. Moorman stated that the Board of Supervisors is required to adopt a resolution documenting this procurement and the basis for doing so on an emergency basis. He noted that this resolution was included in the Board's information packets for their consideration.

After questioning by Mr. Williamson, Mr. Moorman stated that this contract is based on the February 1, 2016, completion timeline for this project as has been previously discussed with the Board.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution approving the award of a contract under emergency procurement provisions to Timberworks of Interest, LLC, to relocate two historic structures on the Greenfield property.

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 15-12-06

WHEREAS, Botetourt County negotiated, committed itself to, and approved an agreement to the convey certain property within Botetourt Center at Greenfield to the Botetourt County Industrial Development Authority for the purposes of conveyance to the Greater Roanoke Valley Development Foundation and the construction, by that entity, of a speculative industrial shell building to attract manufacturing investment and employment; and,

WHEREAS, under the terms of said agreement, the County must relocate two historic structures from the property and, under terms of said agreement, time is of the essence; and,

WHEREAS, the relocation of the structures will require expertise and experience to prepare the buildings for moving and a new site for their setting; and,

WHEREAS, the County solicited and received from the Virginia Department of Historic Preservation referrals of qualified and reputable contractors to perform the required work; and,

WHEREAS, upon review and evaluation, County staff selected Timberworks of Interest, LLC, as the preferred contractor based on experience, references, interviews and written proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors, in order to fulfil its contractual obligations to the Botetourt County Industrial Development Authority and to the Greater Roanoke Valley Development Foundation, does hereby endorse and authorize the emergency procurement of services to repair and relocate two historic buildings by Timberworks of Interest, LLC as described and provided in its proposal dated December 4, 2015, for an estimated price of \$183,000 and effective December 5, 2015.

Consideration was then held on approval of the transfer of a 19.435 acre parcel identified as Lot C in Botetourt Center at Greenfield to the Economic Development Authority's ownership. Mr. David Moorman, County Administrator, stated that at the November regular meeting the Board approved an agreement with the Greater Roanoke Valley Development Foundation and the County's Industrial/Economic Development Authority for the construction of a shell

building on Lot C in Greenfield. He noted that the agreement has been approved by the Foundation and the Authority is scheduled to consider this agreement on December 21. Mr. Moorman stated that, in order to proceed with this project, Lot C, which consists of 19.435 acres, will need to be transferred to the Authority's ownership.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the transfer of Lot C in Botetourt Center at Greenfield consisting of 19.435 acres to the Botetourt County Economic Development Authority and authorized the County Administrator to sign the deed and any associated documents on the County's behalf, subject to review and approval by the County Attorney. (Resolution Number 15-12-07)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation, was then present to speak to the Board. Mr. Hamm then reviewed VDoT's monthly report. He stated that the Exit 150 project is on schedule and the Exit 150B off-ramp will be reduced to one lane this week so that work can begin to lay back the dirt slope to extend the box culvert located under the off-ramp.

Mr. Hamm stated that the culvert replacement project and paving work on Route 615 (Craig Creek Road) has been completed. He noted that 13 land use permits have been issued during the past month and paving work on various roadways including Blue Ridge Turnpike and Breckinridge Mill Road has continued into December due to the warm weather. Mr. Hamm further stated that he has not received any new information on the various traffic engineering studies.

After questioning by Mr. Martin, Mr. Hamm stated that the through-truck restriction request for Mountain Pass Road (Route 652) has been submitted to Richmond and should be finalized in 30 – 60 days. He noted that three or four staff members in the Richmond office still need to review this request; however, the truck restriction signs have been ordered. Mr. Martin stated that he appreciated VDoT's assistance in implementing this truck restriction process. Mr. Martin stated that it will be a Sheriff Department and State Police enforcement issue once the restriction is approved.

After questioning by Mr. Williamson, Mr. Hamm stated that he will check with their traffic engineering staff on the status of the Route 220 northbound turning lane request across from Lord Botetourt High School.

Mr. Dodson stated that he has not had an opportunity to read Mr. Hamm's e-mail response regarding a citizen's call regarding large trucks using Little Catawba Creek Road (Route 600) between Catawba and Daleville.

Mr. Leffel thanked Mr. Hamm for the culvert and paving work on Craig Creek Road.

After questioning by Dr. Scothorn, Mr. Hamm stated that Humbert (Route 653) and Laymantown (Route 658) Roads have been included in the Mountain Pass Road through-truck restriction request.

After questioning by Mr. Dodson, Mr. Hamm stated that Coaling Road (Route 605) is not included in this restriction request.

Dr. Scothorn stated that the Board had received a lot of information on Valley Road and noted that the road is in good condition due to its recent repaving.

There being no further discussion, the Board thanked Mr. Hamm for attending today's meeting.

Regarding committee reports, Mr. Michael Lockaby, County Attorney, stated that the County Treasurer has brought to his attention that some of the County's financial procedures for the approval and issuance of warrants (checks) are unclear. Mr. Lockaby stated that he has been working to draft amendments to the County Code to incorporate these clarifications and will bring this matter to the Board for public hearing in the next few months.

After questioning by Mr. Williamson, Mr. Lockaby stated that the County's auditors, Robinson, Farmer, Cox Associates, will also be asked to review these proposed amendments.

Mr. Moorman then discussed proposed Amendment 3-PD to the County's Employee Benefit Plan with MedCost. He noted that this amendment was drafted by MedCost, the County health plan's third party administrator, and the County Attorney. He stated that this amendment will provide that, if the Board enters into a severance agreement with a certain "special class" of employees which includes salary and benefits, then at the Board's discretion, County health insurance benefits would also be applied during this severance period.

He noted that the current Plan is unclear on this point and this amendment has been drafted to cover this situation.

After questioning by Mr. Williamson, Mr. Moorman stated that this amendment will not change any of the current health coverage procedures.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved Amendment 3-PD to the Botetourt County Employee Benefit Plan with MedCost effective December 1, 2015, regarding the provision of health benefits to those employees designated as "Special Class Plan Participants" with whom the Board of Supervisors has entered into a severance agreement. (Resolution Number 15-12-08)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Moorman then stated that in 2014 the Internal Revenue Service (IRS) conducted a review of the County's accounts payable and payroll procedures. He noted that, among other recommended changes, it was determined that, due to changes in IRS guidelines, Board members, Planning Commission members, employees, etc., who are provided meals, coffee, etc., and other types of business expenses as a part of their County-related positions must be charged taxes on those items.

He stated that, prior to determining tax amounts to be paid by these individuals for 2015, the County's Director of Finance, Tony Zerrilla, confirmed this requirement with the IRS' representative. Mr. Moorman stated that Mr. Zerrilla was informed that, if the County adopted an accountable plan retroactive to January 1, 2015, then these types of business and professional development expenses would not be considered taxable by the IRS.

Mr. Moorman then presented the Board members with a copy of this accountable plan for their review and asked that the Board adopt this expense reimbursement policy as presented

After questioning by Mr. Williamson, Mr. Zerrilla stated that a template was used to draft this policy.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the Accountable Plan establishing a business and professional development expense reimbursement policy pursuant to Treasury Regulation 1.62-2, as attached. (Resolution Number 15-12-09)

AYES: Mr. Leffel, Mr. Williamson, Mr. Dodson, Mr. Martin, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Williamson then noted that he recently attended the Western Virginia Water Authority Board meeting. He noted that the Daleville pump station was put into service last week and water from Carvin's Cove is now flowing through the Greenfield distribution lines.

Dr. Scothorn noted that many of his constituents and the businesses/residents of Daleville Town Center are pleased that this project is completed.

Consideration was then held on appointments.

Mr. Moorman stated that Mr. John Busher, Superintendent of Schools, has submitted a request that a member of the Supervisors be appointed to the School Division's Planning Committee. He noted that Mr. Leffel has indicated that he would be willing to serve on this committee.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board appointed Mr. L. W. "Jack" Leffel as the Board of Supervisors' representative on the School Division's Planning Committee. (Resolution Number 15-12-10)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then allowed three individuals to speak regarding the relocation of two historic structures on the Botetourt Center at Greenfield property.

Ms. Shirley Johnson Lewis of Thirlane Road, NW, in Roanoke, stated that she is a direct descendant of the slaves who worked on the Greenfield Plantation and objects to the County moving these two structures. Ms. Lewis stated that history would be better served by restoration and preservation of these areas of Botetourt County. She stated that the County could choose a different site for the shell building on the large acreage Greenfield tract.

After discussion, Ms. Lewis stated that "this is a wonderful opportunity for the County to do the right thing." She noted that, if these structures are relocated, it would be "erasing their history like it never happened." Mrs. Lewis stated that she owns property in Botetourt County and the County's proposal to relocate these buildings is "wrong" and asked that the Board to not disturb the slave quarters building. She noted that it is their history and important to them.

ACCOUNTABLE PLAN

The Botetourt County Board of Supervisors (hereafter referred to as Board) desires to establish an expense reimbursement policy pursuant to Treasury Reg. 1.62-2, upon the following terms and conditions:

1. Employees of the Board of Supervisors (and in certain cases non-employees) shall be reimbursed for any ordinary and necessary business and professional expenses incurred on behalf of the Board only if expenses are adequately accounted for as required by the Board policy on expense reimbursements. (see Note 1)
2. Under no circumstances will the Board reimburse employees for business or professional expenses incurred on behalf of the Board that are not properly substantiated. The Board and employees understand that this requirement is necessary to prevent our expense reimbursement plan from being classified as a "non-accountable" plan.

The substantiation requirements of this policy also applies to non-employees (e.g. independent contractors) conducting Board business. If a non-employee does not properly Account to the Board for his or her expenses, the individual will not be reimbursed.
3. Advances for ordinary and necessary business and professional expenses shall not be issued more than 30 days prior to the anticipated expense.
4. All expenses must be substantiated within a reasonable period of time. (see Note 2)
5. Advances that are not substantiated within a reasonable period of time must be returned (paid back) within a reasonable period of time. (see Note 3)
6. This Accountable Plan includes, but is not limited to travel, meals, and mileage expenses. This Plan is in effect retroactive to January 1, 2015.

Board Member:



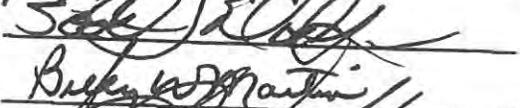
Date: December 17, 2015

Board Member:



Date: December 17, 2015

Board Member:



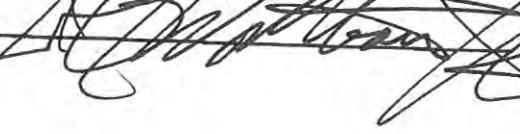
Date: December 17, 2015

Board Member:



Date: December 17, 2015

Board Member:



Date: December 17, 2015

Note 1: Adequately account for means providing the Board with a statement of expense, an account book, a diary, or similar record in which you entered each expense at or near the time you had it, along with documentary evidence (such as receipts) of your travel, mileage, and other business expenses. IRS Publication 463 provides examples of what is needed to substantiate your business and professional expenses. See your accounting specialist for details.

Note 2: Must be 60 days or less after the expense is paid or incurred if the Board wants to qualify for the "fixed date" safe harbor substantiation rule.

Note 3: Must be 120 days or less after the expense is paid or incurred if the Board wants to qualify for the "fixed date" safe harbor substantiation rule.

Ms. Lewis then read off the names of many African-American families that worked on the Greenfield property, e.g., Wallace, Sullivan, Hopkins, Pettis, Thompson, Johnson, etc. Ms. Lewis stated that there are 88 descendants in her family alone and her great, great grandmother was the first generation of slaves on the Greenfield property and was the first person to be buried in the slave cemetery on this property.

Ms. Lewis thanked those who have objected to these buildings' relocations over the past few months and who "want to see the right thing done because it is the right thing to do." Ms. Lewis stated that "they hope that they will not have to fight again to keep their place in Botetourt County." She stated that the site of these historical structures should remain intact. She stated that "slaves lives matter and histories matter."

Mrs. Anna Merchant of Coaling Road in Troutville stated that she also opposes moving the slave quarters structure. She noted that this will "erase their history." Mrs. Merchant stated that there is other acreage available on Greenfield for the location of the shell building and she is not aware of the Board's reasons for relocating these structures. She noted that relocating these buildings will remove the footprint of the slaves that lived on the Greenfield property. Mrs. Merchant stated that the historical value of these sites/structures will not be the same if they are moved.

After discussion, Mrs. Merchant stated that she understands that funds have not been appropriated to reassemble the buildings after they have been put in storage and wondered when these funds would be available.

Mrs. Merchant also stated that the Board changed the name of the intermediate school in Fincastle to William Clark Middle School and, when the citizens objected, the school was renamed Central Academy Middle School. She stated that "this is not the first time that the Board has done this to black people," and blamed the Board for not giving the citizens enough time to look at and consider the issue of relocating these structures.

Mr. Richard King of White Church Road in Fincastle stated that he is a member of the Botetourt Historical Society and has several questions on this matter for the Board. Mr. King stated that he opposes the relocation of these buildings and excavating the site for the construction of a shell building. He noted that "once the bulldozer starts" any historical artefacts "are gone."

Mr. King questioned what happens after the property is transferred to the Industrial Development Authority; would it be transferred to the Roanoke Regional Partnership.

Dr. Scothorn stated that the Board members are present to listen to Mr. King's comments; not answer questions.

Mr. King also stated that he has questions about the financing of the shell building and other items. Mr. King stated that he understands that the historical buildings are being moved intact but there are conflicting stories in public about this issue. He noted that the contractor has already started work on preparing these structures for relocation.

Dr. Scothorn suggested that Mr. King contact the County Administrator to obtain answers to his question. Mr. King stated that he will contact Mr. Moorman to schedule a meeting to discuss his questions.

Mrs. Anna Merchant then presented the Board with a petition in opposition to moving the slave quarters structure.

Mr. Williamson then clarified some of the comments made by these individuals. He noted that funds have been appropriated by the Supervisors to prepare and relocate these two

structures intact onto the preservation area site. He also stated that the School Board was involved in naming and renaming William Clark/Central Academy Middle School—not the Board of Supervisors.

There being no further discussion, the Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:05 P. M.

A public hearing was then held on a proposed amendment to Chapter 20 Solid Waste, Article IV Litter Control of the Botetourt County Code regarding inoperative motor vehicles. Mr. Michael Lockaby, County Attorney, stated that Section 20-86.1 of the Code prohibits citizens and businesses from keeping inoperative motor vehicles on their property unless they are kept within a fully enclosed building/structure or buffered/screened from view as per Section 25-5 of the Zoning Ordinance. Mr. Lockaby stated that during previous upgrades to the Zoning Ordinance, Section 25-5 was eliminated and these provisions are now included under Section 25-486 Storage and service area landscaping and screening.

Mr. Lockaby stated that the Sheriff's Department has requested that this section be amended to correspond with the correct Zoning Ordinance reference. He noted that, to correct this section number, a public hearing has been advertised to change the Code reference listing in Section 20-86.1 from "Section 25-5" to "Section 25-486."

After questioning by Mr. Williamson, Mr. Lockaby stated that there would be no change in enforcement of these types of violations; this correction is a "paper-work matter."

After questioning by Dr. Scothorn, it was noted that there was no one present to speak regarding this matter. The public hearing was then closed.

After questioning, Sheriff Ronnie Sprinkle stated that this amendment will allow the inoperative motor vehicles section of the County Code to correctly reference the Zoning Ordinance's screening and buffering provisions.

There being no further discussion, on motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following amendment to Section 20-86.1 of Chapter 20 Solid Waste, Article IV Litter Control of the Botetourt County Code regarding inoperative motor vehicles to change the Code reference number from Section 25-5 to Section 25-486. (Resolution Number 15-12-11)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

BOTETOURT COUNTY CODE

CHAPTER 20 SOLID WASTE

Article IV. Litter Control

Section 20-76 through 20-86 (same)

Section 20-86.1 Property to be kept free of inoperative motor vehicles.

It shall be unlawful for any person, firm, or corporation to keep, or allow to be kept, except within a fully enclosed building or structure, or otherwise buffered and screened from view as defined by section 25-5 486 of this Code, any inoper-

ative motor vehicle on any property owned by such person, firm, or corporation. Vehicles in an automobile graveyard licensed pursuant to Chapter 5 of the Code are exempt from the provisions of this section. This section shall not apply to a licensed business which on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

A public hearing was then held on proposed amendments to Chapter 21. Subdivisions of the Botetourt County Code regarding subdivision plat review procedures. Mrs. Nicole Pendleton, Zoning Administrator, stated that earlier this year the General Assembly approved legislation which necessitated changes to the State Code regarding processing of subdivision plats and site plans.

She noted that the County's Subdivision Ordinance has been reviewed by staff and the County Attorney to bring the ordinance into compliance with these new State Code provisions. Mrs. Pendleton stated that, while conducting this review, staff also identified other small process changes that needed to be brought into compliance with the State Code.

Mrs. Pendleton stated that the draft ordinance was recently presented to the Planning Commission in a work session for their review and discussion. She noted that comments were received from Mr. Reid McMurry, Certified Land Surveyor, on how the proposed amendments would affect other sections of the Subdivision Ordinance. Mrs. Pendleton noted that some of Mr. McMurry's suggested changes were incorporated into the draft ordinance prior to the Planning Commission meeting.

Mrs. Pendleton stated that the General Assembly legislation no longer requires a preliminary plat for any development under 50 lots in size. She noted that the reasoning for this amendment was that there would be larger impacts on the area residents, transportation corridors, and the locality for developments consisting of more than 50 lots.

After discussion, Mrs. Pendleton then requested that, after conducting today's public hearing, the Board table consideration of these amendments until the January 2016 regular meeting to allow staff and the County Attorney to further review the State Code's impact on the County's Subdivision Ordinance.

After questioning by Mr. Williamson, Mr. Lockaby stated that staff is requesting that this hearing be tabled to allow the proposed amendments to "read smoother" and make the incorporation of the General Assembly's amendments into the County's ordinance more understandable. Mr. Lockaby stated that he does not believe that these additional revisions would be considered substantive changes; therefore, the Board would not be required to advertise these amendments for another public hearing.

Mr. Reid McMurry of Daleville then stated that he does not want to speak on the proposed Subdivision Ordinance amendments at this time but asked that he be given a placeholder to offer comment when these amendments are again brought before the Board for consideration.

After questioning by Dr. Scothorn, it was noted that there was no one else present to speak regarding this matter. The public hearing was then closed.

On motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board tabled consideration of amendments to Chapter 21. Subdivisions of the County Code until the Board's January 2016 regular meeting to allow staff and the County Attorney to further review the impact of the General Assembly legislation on this ordinance and, if the County Attorney determines that substantive changes to the ordinance are necessary,

County staff is authorized to advertise these amendments for an additional public hearing.
(Resolution Number 15-12-12)

AYES: Mr. Dodson, Mr. Williamson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on proposed amendments to Chapter 25. Zoning of the Botetourt County Code regarding review of site plans and procedures of the Board of Zoning Appeals. Mrs. Nicole Pendleton, Zoning Administrator, stated that during their 2015 session the Virginia General Assembly also approved legislation which requires amendments to the Zoning Ordinance regarding site plans and the Board of Zoning Appeals (BZA). She stated that small but substantive changes were made as to how variance requests are handled, to clarify procedural issues, and how the Community Development Office's staff and applicants interact with the BZA when specific applications are being considered.

She noted that the proposed amendments were reviewed by the Planning Commission and a public hearing was held at their December 14 meeting. Mrs. Pendleton stated that the proposed BZA-related amendment language was taken directly from the State Code. She further stated that the site plan amendments will bring the Zoning Ordinance into compliance with the State Code's timelines for review and the processing of these types of requests.

After questioning by Mr. Williamson, Mrs. Pendleton stated that these amendments do not include material changes to the County's site plan review timelines; they only codify the State Code language into the County's ordinance. She noted that the County's timelines for the site plan review process are much shorter than those required by the State Code.

After questioning by Dr. Scothorn, it was noted that there was no one present to speak regarding this matter. The public hearing was then closed.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted amendments to Chapter 25. Zoning, Article V. Process and Administration, Division 2. Board of Zoning Appeals, Division 3. Procedure before the Board of Zoning Appeals, and Article VI. Definitions of the Botetourt County Code regarding site plans and the Board of Zoning Appeals as attached on the basis that the proposed text amendments are consistent with the Comprehensive Plan and the purposes and intent of the Zoning Ordinance. (Resolution Number 15-12-13)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a proposed ordinance granting a non-exclusive franchise to Comcast to own, operate, and maintain a cable television system in the County. Mr. Michael Lockaby, County Attorney, stated that, under State and federal law, for a cable company to operate within a jurisdiction, a franchise has to be obtained from the locality.

Mr. Lockaby stated that he and the County's Technology Services Manager, Rodney Gray, have conducted renewal negotiations with Comcast which has had a non-exclusive cable television franchise in the County for over 20 years. Mr. Lockaby stated that their negotiations resulted in two revisions to the proposed agreement—free cable connections for County

**REVISIONS TO BOTETOURT COUNTY BOARD OF ZONING APPEALS
PROCEDURES TO COMPLY WITH 2013–15 STATE CODE AMENDMENTS**

DIVISION 2. BOARD OF ZONING APPEALS

Sec. 25-531. Jurisdiction and Purposepurpose.

Sec. 25-532. Authority and establishment.

Sec. 25-533. Membership.

Sec. 25-534. Officers.

Sec. 25-535. Meetings and hearings.

Sec. 25-536. ~~Powers and duties.~~(Reserved.)

Sec. 25-537. Records.

Sec. 25-538. Periodic reports.

Sec. 25-539. Limitation.

~~Sec. 25-540. Decisions subject to judicial review.~~

Secs. 25-~~541~~540—25-550. Reserved.

Sec. 25-531. Jurisdiction and Purposepurpose.

The board of zoning appeals shall hear and decide:

(a) Appeals from any order, requirement, decision or determination made by the zoning administrator or an other administrative officer in the administration or enforcement of this chapter~~, except~~ ;

(b) ~~upon a~~Appeals or original applications in specific cases~~, for such a~~ variance ~~from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardships as defined in section 25-601; provided, that the spirit of this chapter shall be observed and substantial justice done.~~

(a)(c) Applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary.

(Legislative History: Res. of 1-1-02, § 5-201)

(Statutory Reference: Va. Code § 15.2-2309.)

[Reviser's Note: Subsection (b) is moved and amended from § 25-551(a) and amended in accordance with 2015 Va. Acts c. 597.]

Sec. 25-532. Authority and establishment.

The board of zoning appeals shall adopt such rules and regulations as it may consider necessary for the orderly conduct of its business.

(Legislative History: Res. of 1-1-02, § 5-202)

Sec. 25-533. Membership.

The board of zoning appeals shall consist of five ~~(5)~~ residents of the county appointed by the circuit court.

The term of office of members of the board of zoning appeals shall be five ~~(5)~~ years, except that original appointments shall be made for such terms that the term of one ~~(1)~~ member shall expire each year. ~~One Member of the board of zoning appeals shall hold no other public office in the county, except that one (1) of the appointed members may be an active member of the planning commission.~~

Appointments to fill vacancies occurring on the board of zoning appeals otherwise than by expiration of term shall, in all cases, be for the remainder of the unexpired term.

Any member of the board of zoning appeals may be removed, for malfeasance, misfeasance or nonfeasance in office, or for other just cause, by the circuit court, after a hearing held after at least ~~fifteen (15)~~ days' notice.

Any member of the board of zoning appeals shall be disqualified to act upon a matter before the board with respect to property in which the member has an interest, in accordance with section ~~2.1-610~~2.2-3112 of the Code of Virginia.

(Legislative History: Res. of 1-1-02, § 5-203)

(Statutory Reference: Va. Code § 15.2-2308.)

[Reviser's Note: The Virginia Conflicts of Interests Act was recodified from Title 2.1 to Title 2.2 in 2001 without making substantive changes to the former § 2.1-610, which was renumbered as § 2.2-3112. The remaining changes are included for stylistic purposes.]

Sec. 25-534. Officers.

The board of zoning appeals shall choose annually ~~its own~~from among its members a chairman and, ~~and in his absence, an acting chairman in his absence, an acting chairman.~~

The ~~zoning administrator may serve as secretary to the~~ board of zoning appeals shall choose annually a secretary who is either one of its members or a qualified individual who is not a member of the board, without vote. A secretary who is not a member of the board shall not be entitled to vote on matters before the board. ~~He~~ The secretary shall prepare minutes of meetings, keep all records and conduct official correspondence of the board. ~~In the absence of the zoning administrator at any meeting, the board shall appoint some other person, who may or may not be a member of the board, to prepare the minutes thereof.~~

(Legislative History: Res. of 1-1-02, § 5-204)

(Statutory Reference: Va. Code § 15.2-2308.)

[Reviser's Note: The provisions of newly-enacted Va. Code § 2.2-3708.1 prohibiting ex parte contacts between staff and the BZA make it inadvisable to have the zoning administrator be the secretary. Perhaps another person, such as Laura Goad, would be more appropriate.]

Sec. 25-535. Meetings and hearings.

Meetings and hearings of the board of zoning appeals shall be held at the call of the chairman or, in the event of his absence or disqualification, the acting chairman, or at the request of any two ~~(2)~~ members, provided notice thereof has been mailed to each member of the board of zoning appeals at least seven ~~(7)~~ days before the time set or that a waiver of notice is obtained from each member. Three ~~(3)~~ members shall constitute a quorum for the transaction of any official business.

The chairman, or in the event of his absence or disqualification, the acting chairman may administer oaths and compel the attendance of witnesses at meetings of the board of zoning appeals.

(Legislative History: Res. of 1-1-02, § 5-205)

(Statutory Reference: Va. Code § 15.2-2312.)

[Reviser's Note: These changes are chiefly stylistic.]

Sec. 25-536. Powers and duties.

~~The board of zoning appeals shall have the following powers and duties:~~

- ~~(1) To authorize such variance from the terms of the ordinance as will not be contrary to the public interest when, owing to special conditions a literal enforcement of the ordinance will result in unnecessary hardship. In authorizing such variances, the board shall be guided by § 15.2-2309(2) of the Code of Virginia, and all other applicable law.~~
- ~~(2) To hear and decide appeals from the decision of the zoning administrator, or from the decision of any other administrative officer relating to the enforcement or administration of this chapter.~~
- ~~(3) To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.~~

~~(Res. of 1-1-02, § 5-206)~~

[Reviser's Note: This section is redundant.]

Sec. 25-537. Records.

The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. It shall keep full records of its examinations and other official actions, all of which shall be immediately filed in the office of the zoning administrator and shall be a public record.

(Legislative History: Res. of 1-1-02, § 5-207)

(Statutory Reference: Va. Code §§ 2.2-3707, 15.2-2312.)

Sec. 25-538. Periodic reports.

The board shall submit a report of its activities to the board of supervisors at least once each year.

(Legislative History: Res. of 1-1-02, § 5-208)

Sec. 25-539. Limitation.

All provisions of this chapter relating to the BZA shall be strictly construed. The BZA, as a body of limited jurisdiction, shall act in full conformity with all provisions and definitions in this chapter and the Code of Virginia and in strict compliance with all limitations contained therein.

(Legislative History: Res. of 1-1-02, § 5-209)

Sec. 25-540. Decisions subject to judicial review.

~~All decisions and findings of the BZA shall be final decisions, and shall, in all decisions and findings of the instances, be subject to judicial review in the following manner:~~

- ~~(1) Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any taxpayer or any officer, department, board or bureau of the county, may present to the Circuit Court of Botetourt County a petition specifying the grounds on which aggrieved within thirty (30) days after the filing of the decision in the office of the BZA.~~
- ~~(2) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the BZA and shall prescribe therein the time within which a return thereto must be made and served upon the petitioner's attorney, which shall not be less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the BZA and on due cause shown, grant a restraining order.~~
- ~~(3) The BZA shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~
- ~~(4) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a commissioner to take such evidence as it may direct and report the same to the court with the commissioner's findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which a determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.~~
- ~~(5) Costs shall not be allowed against the BZA, unless it shall appear to the court that the BZA acted in bad faith or with malice in making the decision appealed from. In the event the decision of the BZA is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making a return of the record pursuant to the writ of certiorari.~~

~~(Res. of 1-1-02, § 5-210)~~

Secs. 25-~~541~~540—25-550. Reserved.

DIVISION 3. PROCEDURES BEFORE THE BOARD OF ZONING APPEALS

Sec. 25-551. Variance procedures.

Sec. 25-552. Appeals of administrative officers.

Sec. 25-553. Ex parte communications and proceedings.

Sec. 25-554. Judicial review; writ of certiorari.

Secs. 25-~~553~~555—25-560. Reserved.

Sec. 25-551. Variance procedure.

- (a) ~~Jurisdiction and authority. The board of zoning appeals may authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest, when, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship; provided, that the spirit of this chapter shall be observed and substantial justice done. *Who may apply; procedure.* Any property owner, tenant, government official, department, board, or bureau may apply for a variance. Such application shall be made to the zoning administrator in accordance with rules adopted by the board of zoning appeals, including therewith satisfactory evidence that any delinquent real estate taxes owed to the county which have been properly assessed against the subject property have been paid. The application shall be transmitted promptly to the secretary of the board of zoning appeals, who shall place the matter on the docket to be acted upon by the board.~~
- (b) ~~*Burden of proof.* The burden of proof shall be upon the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance set forth in § 25-601 and the criteria set forth in this section.~~
- (c) ~~*Criteria to be considered.* A variance shall be granted if the evidence shows that the strict application of the terms of this chapter would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and:
 - (1) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
 - (2) The granting of the variance would not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;~~

- (3) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- (4) The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- (5) The relief or remedy sought by the variance application is not available through a special exception permit.

- ~~(b) Authorized variances. Such variance may be authorized when in conformance with Code of Virginia § 15.2-2201 and when a property owner can show that his property was acquired in good faith and that, by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property, or by reason of exceptional topographic conditions or other extraordinary situation or condition of such piece of property, or of the use or development of property immediately adjacent thereto, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the use of the property, or where the board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant; provided, that all variances shall be in harmony with the intended spirit and purpose of this chapter and shall not allow a use not otherwise allowed by district regulations.~~
- ~~(c) Unauthorized variances. No such variance shall be authorized except after notice and hearing as required by this chapter.~~
- ~~(d) Application for variances. Any person seeking a variance from the strict application of certain regulations of this chapter, pursuant to provisions of this article and § 15.2-2309 of the Code of Virginia, unless otherwise provided in this chapter.~~

~~In the case of an application for a variance, the applicant shall first submit his proposal to the zoning administrator on a form to be provided by the zoning administrator, and all plans and information relating to the application required by the board of zoning appeals pursuant to § 15.2-2310 of the Code of Virginia. The application shall be transmitted promptly to the secretary of the board of zoning appeals, who shall place the matter on the docket to be acted upon by the board.~~

- ~~(f) Decision on variance application. Upon receipt of an application or appeal, the board of zoning appeals shall fix a reasonable time for a hearing of such application or appeal in conformance with §§ 15.2-2204 and 15.2-2205 of the Code of Virginia.~~

~~The proposal shall then be advertised pursuant to provisions of §§ 15.2-2204 and 15.2-2205 of the Code of Virginia prior to public hearing by the board of zoning appeals. The zoning administrator shall also transmit a copy of the application to the planning commission, which may send a recommendation to the board or appear as a party at the hearing.~~

~~The board of zoning appeals shall render a decision on any application submitted to it within sixty (60) days after the date of the hearing thereon.~~

- ~~(i) Standards for variance. No variance referred to in this section shall be authorized by the board of zoning appeals unless it finds:~~
- ~~(0) That the strict application of this chapter would produce undue hardship.~~
 - ~~(0) That such hardship is not shared generally by other properties in the same vicinity.~~
 - ~~(0) That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.~~
 - ~~(0) That the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this chapter.~~
- ~~(n) Burden of applicant. The applicant for a variance shall bear the burden of producing evidence to support the required findings and to establish that the requested variance satisfies the standards for a variance.~~
- ~~(o)(d) Conditions and restrictions.~~ In authorizing a variance, the board of zoning appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
- ~~(p)(e) Withdrawal of application.~~ An application or appeal to the board of zoning appeals may be withdrawn by the applicant or appellant at any time prior to the deadline for cancellation of the newspaper advertisement provided for in [this article Va. Code § 15.2-2204](#). After such deadline, an application or appeal may be withdrawn only with the permission of the board of zoning appeals. An application or appeal which is not withdrawn pursuant to this subsection shall be either granted or denied on the merits, by the board of zoning appeals, either in whole or in part.
- ~~(q)(f) Reapplication.~~ If any application is denied by the board of zoning appeals on the merits, no application requesting the same relief with respect to all or part of the same property shall be considered by the board within ~~twelve (12)~~ months after the date of such denial.

(Legislative History: Res. of 1-1-02, § 5-301; Res. No. 13-02-11, 2-26-13)

(Statutory Reference: Va. Code § 15.2-2309.)

[Reviser's Note: Amendments made to conform variance provisions to 2015 amendments.]

Sec. 25-552. Appeals of administrative officers.

- (a) *Applications.* Applications to the board of zoning appeals may be made by: ~~A~~ any person aggrieved, or any officer, department or agency of the county affected, by an order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the provisions of this chapter.

- (b) *Appeals from administrative ruling.* The board of zoning appeals shall hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this chapter.

In case of an appeal from decisions by the zoning administrator to the board of zoning appeals, procedures to be followed shall be in strict accordance with section 15.2-2310 et seq. of the Code of Virginia.

- (c) *When appeals may be taken.* Appeals to the BZA may be taken by any person aggrieved by an officer, department, board or agency of the county or affected by a decision of the zoning administrator. Appeals shall be taken within thirty (30) days after the decision has been rendered by filing with the zoning administrator from whom the appeal is taken and with the chair of the BZA a notice of appeal specifying the grounds of the appeal. The zoning administrator shall forthwith forward to the chair of the BZA all the papers constituting the record upon which the action appealed from was taken.

- (d) *When appeals to stay proceedings.* A notice of appeal properly filed as herein provided shall stay all proceedings in furtherance of the action appealed from, unless the zoning administrator certifies to the BZA that by reason of facts stated in the certificate a stay would, in the zoning administrator's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order which may be granted by the BZA or by a proper court order on notice to the zoning administrator and for good cause shown

- (e) *Decision on appeals.* Upon receipt of an application or appeal, the board of zoning appeals shall fix a reasonable time for a hearing of such application or appeal in conformance with section 15.2-2204 and 15.2-2205 of the Code of Virginia.

The board of zoning appeals shall render a decision on any application submitted to it within sixty (60) days after the date of the hearing thereon.

- (f) *Withdrawal of application.* An application or appeal to the board of zoning appeals may be withdrawn by the applicant or appellant at any time prior to the deadline for cancellation of the newspaper advertisement provided for in this article. After such deadline, an application or appeal may be withdrawn only with the permission of the board of zoning appeals. An application or appeal which is not withdrawn pursuant to this subsection shall be either granted or denied on the merits, by the board of zoning appeals, either in whole or in part.

- (g) *Proceedings to prevent construction of a building.* Where a building permit has been issued and the construction of the building for which such permit was issued is subsequently sought to be prevented, restrained, corrected or abated as a violation of the zoning ordinance, by suit filed within ~~fifteen~~ (15) days after the start of construction by a person who had no actual notice of the issuance of the permit, the court may hear and determine the issues raised in the litigation even though no appeal was taken from the decision of the zoning administrator to the board of zoning appeals.

(Legislative History: Res. of 1-1-02, § 5-302)

Sec. 25-553. Ex parte communications and proceedings.

- (a) The non-legal staff of the governing body may have *ex parte* communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. The applicant, landowner, or his agent or attorney may have *ex parte* communications with a member of the board prior to the hearing but may not discuss the facts or law relative to a particular case. If any *ex parte* discussion of facts or law in fact occurs, the party engaging in such communication shall inform the other party as soon as practicable and advise the other party of the substance of such communication. For the purposes of this section, regardless of whether all parties participate, *ex parte* communications shall not include (i) discussions as part of a public meeting or (ii) discussions prior to a public meeting to which staff of the governing body, the applicant, landowner or his agent are all invited.
- (b) Any materials relating to a particular case, including a staff recommendation or report furnished to a member of the board, shall be made available without cost to the applicant, appellant or other person aggrieved, as soon as practicable thereafter, but in no event more than three business days after providing such materials to a member of the board. If the applicant, appellant, or other person aggrieved requests additional documents or materials be provided by the locality other than those materials provided to the board, such request shall be made pursuant to the provisions of section 2.2-3704 of the Code of Virginia, as amended. Any such materials furnished to a member of the board shall also be made available for public inspection pursuant to subsection F of section 2.2-3707 of the Code of Virginia, as amended.
- (a)(c) For the purposes of this section, “non-legal staff of the governing body” means any staff who is not in the office of the attorney for the locality, or for the board, or who is appointed by special law or pursuant to Section 15.2-1542 of the Code of Virginia, as amended. Nothing in this section shall preclude the board from having *ex parte* communications with any attorney or the staff of any attorney where such communication is protected by the attorney-client privilege or other similar privilege or protection of confidentiality.

(Statutory Reference: Va. Code § 15.2-2308.1.)

[Reviser’s Note: This is to implement a new state law section effective beginning July 1, 2015.]

Sec. 25-554. Judicial review; writ of certiorari.

- (a) Appeal to circuit court. Any person or persons jointly or severally aggrieved by any decision of the board of zoning appeals, or any aggrieved taxpayer or any officer, department, board or bureau of the locality, may file with the clerk of the circuit court for Botetourt County a petition that shall be styled “In re: [date] Decision of the Board of Zoning Appeals of Botetourt County” specifying the grounds on which aggrieved within 30 days after the final decision of the board.
- (b) Circuit court to allow writ of certiorari. Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the board of zoning appeals and shall prescribe therein the time within which a return thereto must be made and served

upon the secretary of the board of zoning appeals or, if not secretary exists, the chair of the board of zoning appeals, which shall not be less than 10 days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

- (c) *Parties to proceedings.* Any review of a decision of the board shall not be considered an action against the board and the board shall not be a party to the proceedings; however, the board shall participate in the proceedings to the extent required by this section. The board of supervisors of Botetourt County, the landowner, and the applicant before the board of zoning appeals shall be necessary parties to the proceedings in the circuit court. The court may permit intervention by any other person or persons jointly or severally aggrieved by any decision of the board of zoning appeals.
- (d) *Return of record.* The board of zoning appeals shall not be required to return the original papers acted upon by it but it shall be sufficient to return certified or sworn copies thereof or of the portions thereof as may be called for by the writ of certiorari. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
- (e) *Review of decision on appeal of administrative order.* In the case of an appeal from the board of zoning appeals to the circuit court of an order, requirement, decision, or determination of a zoning administrator or other administrative officer in the administration or enforcement of this chapter, the findings and conclusions of the board of zoning appeals on questions of fact shall be presumed to be correct. The appealing party may rebut that presumption by proving by a preponderance of the evidence, including the record before the board of zoning appeals, that the board of zoning appeals erred in its decision. Any party may introduce evidence in the proceedings in the court. The court shall hear any arguments on questions of law *de novo*.
- (f) *Review of grant or denial of a variance.* In case of an appeal by a person of any decision of the board of zoning appeals that denied or granted an application for a variance, the decision of the board of zoning appeals shall be presumed to be correct. The petitioner may rebut the presumption by proving by a preponderance of the evidence, including the record before the board of zoning appeals, that the board of zoning appeals erred in its decision.
- (g) *Evidence to be admitted.* In the case of an appeal from the board of zoning appeals to the circuit court of a decision of the board, any party may introduce evidence in the proceedings in the court in accordance with the Rules of Evidence of the Supreme Court of Virginia.
- (h) *Powers of the court.* The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
- (i) *Costs to be allowed.* Costs shall not be allowed against Botetourt County or its board of supervisors, unless it shall appear to the court that it acted in bad faith or with malice. In

the event the decision of the board of zoning appeals is affirmed and the court finds that the appeal was frivolous, the court may order the person or persons who requested the issuance of the writ of certiorari to pay the costs incurred in making the return of the record pursuant to the writ of certiorari. If the petition is withdrawn subsequent to the filing of the return, Botetourt County or its board of supervisors may request that the court hear the matter on the question of whether the appeal was frivolous.

(Statutory Reference: Va. Code § 15.2-2314.)

[Reviser's Note: This is added in accordance with 2015 state statutory amendments.]

Secs. 25-553—25-560. Reserved

Sec. 25-601. Definitions.

...

Variance means, in the application of this chapter, a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure when the strict application of the ordinance would unreasonably restrict the utilization of the property, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the purpose of the ordinance. It shall not include a change in use, which change shall be accomplished by a rezoning or a conditional zoning.

[Reviser's Note: This is not currently defined in the Botetourt County Code. This definition is added in accordance with 2015 Va. Acts c. 597.]

SITE PLAN ORDINANCE TIMELINE REVISIONS

Section 25-573. Site plan ~~review~~—when required.

- (a) Policy Purpose. Due to the unique rural nature of the county and the proximity of the Roanoke Urban Area, certain review measures are necessary to ensure and encourage the most appropriate development and wise use of land in harmony with the neighborhood, local environment and public infrastructure. Therefore, a site plan shall be required in certain use districts and for certain uses in which the scale and type of development requires local review and concern.
- (b) Site plan required. No person shall commence any use or erect any structure, including additions to existing structures, parking areas or other required site plan features, without first obtaining the approval of a site plan by the zoning administrator as set forth in this article, and no use shall be carried on, no structure erected or enlarged and no other improvement or construction undertaken except as shown upon an approved site plan.

A site plan shall be required for the following uses in the enumerated districts unless waived by the zoning administrator if the type, scale and/or location of the proposed development does not necessitate such plans:

- (1) Duplexes, multi-family dwellings, town houses and mobile home subdivisions and mobile home parks R-1, R-2, R-3
- (2) All uses PUD, TND
- (3) All uses M-1, M-2, M-3, PIP, RAM
- (4) All uses SC
- (5) All uses B-1, B-2, B-3, POP
- (6) For all special exceptions.

(c) Exemptions. The following are exempt from having to file a site plan:

- (1) The lawful construction, alteration and occupancy of a single or two-family dwelling or mobile home, with or without a garage.
- (+)(2) Any lawful use, alteration or construction for agricultural or residential uses in district A-1, RR and district FC. Churches and schools in these districts shall file a site plan in accordance with this chapter.

Exemption from the site plan requirements does not authorize violation of any other provision of this chapter.

Sec. 25-573.1. What site plan to show.

- (a) Site plan requirements. Every site plan shall be submitted to the zoning administrator in accordance with the applicable standards and regulations for site plans. In all respects, the site plan shall comply with all provisions of this chapter and other provisions of law.

~~(b) — *Review and approval.* Upon receipt of any site plan, the zoning administrator shall review it in accordance with the applicable procedures, standards and regulations for site plans in section 25-473(d).~~

~~(e)~~(b) *Form and content.*

- (1) Every site plan shall be submitted to the zoning administrator in three ~~(3)~~ identical copies on one ~~(1)~~ or more sheets of paper measuring not more than ~~twenty-four (24)~~ by ~~thirty-six (36)~~ inches, drawn to a scale not smaller than ~~forty (40)~~ feet to the inch, unless an alternative scale is approved by the zoning administrator. Site plans required by the county shall be prepared by a professional engineer, architect, landscape architect or land surveyor who is registered by the Commonwealth of Virginia and is conducting their practice in accordance with Code of Virginia § 54.1-400 et seq., as amended. This requirement may be waived by the zoning administrator if the type, scale and/or location of the proposed development does not necessitate such plans. The site plan shall show the following:
 - a. The boundary lines of the area included in the site plan, including angles, dimensions and reference to a point in a recorded plat, an arrow pointing north, a scale bar and the lot area of the land included in the site plan.
 - b. Existing and proposed grades and drainage systems and structures with topographic contours at intervals not exceeding two ~~(2)~~ feet.
 - c. The shape, size, location, height and floor area of all structures and the finished ground and basement floor grades.
 - d. Natural features, such as woodlots, streams and lakes or ponds, and man-made features, such as existing roads and structures, with indication as to which are to be retained and which removed or altered. Adjacent properties and their uses shall be identified.
 - e. Proposed streets, driveways, parking spaces, loading spaces and sidewalks, with indication of direction of travel for one-way streets and drives and inside radii of all curves. The width of streets, driveways and sidewalks and the total number of parking spaces shall be shown.
 - f. The size and location of all existing and proposed public and private utilities and required landscaping, including terraces, plants, fences, retaining walls, conceptual outdoor lighting and recycling facilities as required or otherwise provided for in the zoning ordinance.
 - g. A vicinity sketch showing the location of the site in relation to the surrounding street system.
 - h. A legal description of land included in the site plan and of the lot and the name, address and telephone and facsimile number and a mailing address of the owner, developer and designer.

- i. A description of any and all proffered conditions as they apply to the project including any uses that may be excluded by such proffers.
 - j. Any other information necessary to establish compliances with this chapter and other ordinances or the availability of adequate utility capacity.
- (2) All site plans should contain the following features:
- a. Parking patterns to be utilized (angular or perpendicular).
 - b. Avoidance of conflict between customer traffic and truck service traffic.
 - c. Circulation within the site area to avoid customer automobiles entering public streets, should they shift parking spaces while shopping at the center.
 - d. Arrangements of store locations to create areas of compatible merchandise, for distribution of their pulling power, tenant mix and for eliminating poor store locations and difficult parking situations.
 - e. Attractive areas for pedestrian access.

Sec. 25-573.2. Process for approval of site plan.

- (a) Completeness. An applicant for a site plan shall submit copies of the site plan and other documents as required herein to the zoning administrator for review. The zoning administrator shall determine within 10 days if the site plan and documents comply with the minimum submission requirements of this chapter. If deemed to be complete, the site plan is thereby officially accepted as of the date of receipt in the agent's office, which shall be called the "official date of submission." If not accepted, the reasons shall be indicated by the zoning administrator in writing and returned with the documents and site plan to the applicant. Acceptance of the application for processing shall not be deemed a determination that the site plan meets the requirements for approval.
- (b) Review procedures; appeals and action. Upon receipt of any site plan, the zoning administrator shall review it to determine whether it is in proper form, contains all of the required information, shows compliance with this chapter and all other ordinances of the county and demonstrates the adequacy of utility service. Upon demand by the proposer of the site plan, the zoning administrator shall, within twenty (20) days, approve it in writing or deny approval in writing, setting forth in detail his reasons, which shall be limited to any defect in form or required information, any violation of any provision of this chapter or any other ordinance, or the inadequacy of any utility, and any changes which would make the plan acceptable. The proposer may appeal any denial to the board of zoning appeals:
- (1) If the zoning administrator determines that no agency review of a site plan is necessary, then within 60 days after the official date of submission of the site plan, the zoning administrator shall act on the application. If the zoning administrator approves the application, approval shall be evidenced by the zoning administrator's signature on the final ~~pl~~site plan, thereby indicating that the site

plan is in conformance with the requirements and provisions of this chapter, and that all construction plans and profiles are designed in accordance with all county public facility regulations and requirements.

- (2) If the zoning administrator determines that agency review will be necessary, then within 10 days after the official date of submission of the site plan, the zoning administrator shall forward copies of the site plan to all review agencies. Such review agencies shall complete their review and forward comments to the agent within 45 days, unless otherwise provided by law. Following receipt of all agency comments, the zoning administrator shall act upon the site plan within 35 days.
- (3) If all requirements and conditions of this chapter are not met, the zoning administrator shall not approve the site plan. Written reasons for such disapproval shall identify specific deficiencies with respect to adopted regulations, and shall generally identify such modifications or corrections as will permit approval of the plat.
- (4) Upon resubmission of a disapproved final plat, the zoning administrator shall make a determination within 10 days of resubmission of whether the changes are directed to remedying the deficiencies that resulted in rejection or are substantive amendments to the site plan. If the changes are directed to remedying the deficiencies that resulted in rejection, then the zoning administrator shall act within 45 days of the official date of submission of the revised site plan. If the changes are substantive amendments to the site plan, the plan shall be processed as a new original site plan application.

(c) *Revisions to, or deviation from, approved plan.* After a site plan has been approved by the zoning administrator, minor adjustments of the site plan, which comply with the spirit of this article and other provisions of this chapter and which better serve the overall purposes of this section, may be approved by the zoning administrator. Deviation from an approved site plan without the written approval of the zoning administrator shall void the plan and the zoning administrator shall require the applicant to resubmit a new site plan for consideration. Any major revision of an approved site plan shall be made in the same manner as originally approved.

Sec. 25-573.3. Process for approval of site plans subject to the Middle Class Tax Relief and Job Creation Act of 2012.

- (a) *When applicable.* This section applies to all site plan applications to which Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. § 1455 and 47 C.F.R. § 1.40001, as amended) is applicable and shall supersede any conflicting requirements of this chapter. Site plans shall be required for all uses to which this section is applicable. Notwithstanding any other requirement of this chapter, no special exception shall be required for applications to which this section is applicable.
- (b) *Lawful nonconformities.* Any site plan filed pursuant to this process shall not be treated as an expansion of a nonconforming use in violation of this chapter so long as such use was lawfully established.

- (c) Application requirements. The application requirements for any application under this section shall be the same as for any other site plan. The zoning administrator shall, within 30 days of submission of an application, determine whether such application is complete for reviewing. Supplemental submissions shall be reviewed for completeness within 10 days of receipt. Such determination of completeness shall not be construed to mean that any application complies with all requirements of this chapter. The date on which a complete application is submitted shall be construed to be the official date of submission.
- (d) Timeframe for review. The zoning administrator shall approve or disapprove a site plan application under this section within 60 days from the official date of submission.
- (e) Deemed complete. Upon the applicant giving written notice to the zoning administrator that the 60-day time period has elapsed without action of the zoning administrator, the site plan shall be deemed granted. Notwithstanding the deemed approval of any proposed site plan, any deficiency that would, if left uncorrected, violate local, state, or federal law, regulations, or mandatory engineering and safety requirements, shall not be deemed as having been approved by the zoning administrator.

government facilities and an increase in the franchise fee paid to the County from 3% to 5% of the franchisee's gross revenues.

Mr. Lockaby noted that previously Comcast charged the County for use of cable boxes that were necessary for local government facilities to receive cable service. Mr. Lockaby stated that he and Mr. Gray persuaded Comcast that these boxes should be considered a part of the cable transmission process and the County should not be charged for this equipment.

Mr. Martin stated that previously Comcast had a business office located in Blue Ridge but, with little notice, closed the facility several years ago. He noted that many constituents in his district were upset that there was no longer a local office that they could call/visit regarding complaints, repairs, and questions.

Mr. Lockaby stated that, under the proposed agreement, Comcast is required to take on certain cable service obligations as per federal law and, if the Board believes that Comcast is not complying with these regulations, he would like to be informed.

Mr. Williamson stated that it is difficult to find a utility company that currently has an office in Botetourt County. He noted that technology has changed the necessity for utility companies to have local offices to handle customer issues.

After questioning by Dr. Scothorn, it was noted that there was no one present to speak regarding this matter. The public hearing was then closed.

After questioning by Mr. Williamson, Mr. Lockaby stated that no one from Comcast was present at this hearing.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution granting a non-exclusive franchise to Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC, to own, operate, and maintain a cable television system in Botetourt County, setting forth conditions accompanying the grant of franchise; and providing for the regulation and use of said system, as attached, effective immediately.

AYES: Mr. Leffel, Mr. Williamson, Mr. Dodson, Mr. Martin, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 15-12-14

WHEREAS, on October 17, 1995, Botetourt County granted a cable television franchise ("Tele Media Franchise") to Tele Media Corporation pursuant to the Cable TV Franchise Ordinance, also known as the Botetourt Cable Television Ordinance; and

WHEREAS, Comcast of Connecticut/Georgia/Massachusetts/New Hampshire /New York/North Carolina/Virginia/Vermont, LLC ("Franchisee"), acquired the Tele Media Franchise and currently provides cable television services within Botetourt County, Virginia; and

WHEREAS, Franchisee requested that Botetourt County ("Franchise Authority") negotiate a Franchise Agreement with the Franchisee to replace the Tele Media Franchise in accordance with applicable law; and

WHEREAS, Franchisee has represented that it will comply with the terms and conditions of the renegotiated cable franchise agreement as set forth herein as Exhibit A ("Franchise") and comply with the requirements of the Franchise Authority and applicable law; and

WHEREAS, pursuant to sections 7-52(e) and 7-71 of the Botetourt County Code and 47 U.S.C. § 546(h), the public was provided adequate notice of the proposed renewal of the Franchise and an opportunity to comment; and

EXHIBIT A

CABLE TELEVISION FRANCHISE AGREEMENT

This Franchise Agreement (the "Agreement" or "Franchise Agreement") is made between the Botetourt County, a political subdivision of the Commonwealth of Virginia ("County" or "Franchising Authority") and Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC ("Grantee").

The County, having given the public an opportunity to be heard and determining that the financial, legal, and technical ability of the Grantee is reasonably sufficient to provide the services, facilities, and equipment necessary to meet the future cable-related needs of the community, desires to enter into this Franchise Agreement with the Grantee for the construction, operation, and maintenance of a Cable System on the terms and conditions set forth herein.

SECTION 1 - Definition of Terms

For the purpose of this Franchise Agreement, capitalized terms, phrases, words, and abbreviations shall have the meanings ascribed to them in the Code of Botetourt County, Virginia, Chapter 7, Article I, Division 1, § 7-1, Code of Virginia, Title 15.2, Article 1.2, § 15.2-2108.19, and the Cable Communications Policy Act of 1984, as amended from time to time, 47 U.S.C. §§ 521 et seq. (the "Cable Act"), unless otherwise defined herein.

1.7 "Customer" or "Subscriber" means a Person or user of the Cable System who lawfully receives Cable Service therefrom with the Grantee's express permission.

1.8 "Effective Date" means the date on which this Ordinance Cable Franchise Agreement, with any necessary executed signatures, is enacted into law.

1.9 "FCC" means the Federal Communications Commission or successor governmental entity thereto.

1.12 "Franchise Agreement" or "Agreement" shall mean this Ordinance Cable Franchise Agreement and any amendments or modifications hereto.

1.13 "Franchise Area" means the present legal boundaries of the County as of the Effective Date, and shall also include any additions thereto, by annexation or other legal means.

1.15 "Grantee" shall mean Comcast of Connecticut/Georgia/Massachusetts/
New Hampshire/New York/North Carolina/Virginia/Vermont, LLC.

1.16 "Ordinance" includes a resolution.

1.17 "Person" means any natural person or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for profit, but shall not mean the Franchising Authority.

1.18 "Public Way" shall mean the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, public way, drive, circle or other public right-of-way, including, but not limited to, public utility easements, dedicated utility strips, or easements dedicated for compatible uses and any temporary or permanent fixtures or improvements located thereon now or hereafter held by the Franchising Authority in the Franchise Area, which shall entitle the Franchising Authority and the Grantee to the use thereof for the purpose of installing, operating, repairing, and maintaining the Cable System. Public Way shall also mean any easement now or hereafter held by the Franchising Authority within the Franchise Area for the purpose of public travel, or for utility or public service use dedicated for compatible uses, and shall include other easements or rights-of-way as shall within their proper use and meaning entitle the Franchising Authority and the Grantee to the use thereof for the purposes of installing, operating, and maintaining the Grantee's Cable System over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and pertinent to the Cable System.

1.20 "Transfer" means any transaction in which (i) an ownership or other interest in the Grantee is transferred, directly or indirectly, from one Person or group of Persons to another Person or group of Persons, so that majority control of the Grantee is transferred; or (ii) the rights and obligations held by the Grantee under the Franchise granted under this Franchise Agreement are transferred or assigned to another Person or group of Persons. However, notwithstanding clauses (i) and (ii) of the preceding sentence, a transfer of the Franchise shall not include (a) transfer of an ownership or other interest in the Grantee to the parent of the Grantee or to another Affiliate of the Grantee; (b) transfer of an interest in the Franchise granted under this Franchise Agreement or the rights held by the Grantee under the Franchise granted under this Franchise Agreement to the parent of the Grantee or to another Affiliate of the Grantee; (c) any action that is the

result of a merger of the parent of the Grantee; (d) any action that is the result of a merger of another Affiliate of the Grantee; or (e) a transfer in trust, by mortgage, or by assignment of any rights, title, or interest of the Grantee in the Franchise or the System used to provide Cable Service in order to secure indebtedness.

SECTION 2 - Grant of Authority

2.1 The Franchising Authority hereby grants to the Grantee pursuant to Article I of Chapter 7 of the Botetourt County Code, applicable provisions of the Code of Virginia, and the Cable Act, a nonexclusive Franchise authorizing the Grantee to construct and operate a Cable System in the Public Ways within the Franchise Area, and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain, or retain in any Public Way such poles, wires, cables, conductors, ducts, conduits, vaults, manholes, pedestals, amplifiers, appliances, attachments, and other related property or equipment as may be necessary or appurtenant to the Cable System and to provide such services over the Cable System as may be lawfully allowed.

2.2 Term of Franchise. The term of the Franchise granted hereunder shall be 15 years, commencing upon the Effective Date of the Franchise, unless the Franchise is renewed or is lawfully terminated in accordance with the terms of this Franchise Agreement and the Code of Virginia and the Cable Act.

2.3 Renewal. Any renewal of this Franchise shall be governed by and comply with Article I, Chapter 7 of the Botetourt County Code, as amended, the provisions of Article 1.2 of the Code of Virginia, as amended, and Section 626 of the Cable Act, as amended.

2.4 Reservation of Authority. Nothing in this Franchise Agreement shall be construed as a waiver of any codes or ordinances of general applicability promulgated by the Franchising Authority.

2.5 Competitive Equity.

2.5.1 The Grantee acknowledges and agrees that the Franchising Authority reserves the right to grant one or more additional franchises to provide Cable Service within the Franchise Area; provided, however, that no such franchise agreement shall contain terms or conditions more favorable or less burdensome to the competitive entity than the material terms and conditions herein. If any such additional or competitive franchise is granted by the Franchising Authority which, in the reasonable opinion of the Grantee, contains more favorable or less burdensome terms or conditions than this Franchise Agreement, the Franchising Authority agrees that it shall amend this Franchise Agreement to include any more favorable or less burdensome terms or conditions.

2.5.2 In the event an application for a new cable television franchise is filed with the Franchising Authority proposing to serve the Franchising Area, in whole or in part, the Franchising Authority shall provide upon request a copy of such application to the Grantee by registered or certified mail, via nationally recognized overnight courier service to any location in the United States, or by electronic means as specified in the request.

2.5.3 In the event that a multi-channel video programming distributor ("MVPD") provides service to the residents of the County under a federal franchise that is unavailable to the Grantee, the Grantee shall have a right to request amendments to this Franchise Agreement that relieve the Grantee of regulatory burdens that create a competitive disadvantage to the Grantee. In requesting amendments, the Grantee shall file a petition seeking to amend the Franchise Agreement. Such petition shall: (1) indicate the presence of a competitor that has a federal franchise; (2) identify the basis for Grantee's belief that certain provisions of the Franchise Agreement place Grantee at a competitive disadvantage; and (3) identify the regulatory burdens to be amended or repealed in order to eliminate the competitive disadvantage. The Franchising Authority shall not unreasonably withhold consent to the Grantee's petition.

2.6 Franchise Fee –

2.6.1 The parties acknowledge that as of the Effective Date of this Agreement, the county is prohibited by state law from imposing a Franchise Fee, as described in 47 U.S.C. § 542, as long as cable services are subject to the Virginia Communications Sales and Use Tax (§ 58.1-645 *et seq.*, the "Communications Sales and Use Tax").

2.6.2 Grantee shall comply with the provisions of the Communications Sales and Use Tax in its current form and as it may be amended.

2.6.3 If at any time during the Term of this Agreement state law allows the imposition of a Franchise Fee on cable operators in Virginia, the county may, to the extent allowable under applicable law, upon 60 days' written notice, or as otherwise provided by law, require Grantee to pay to the county, five percent of the annual Gross Subscriber Revenues received by the Grantee for video services rendered within the county for the prior year. At the time of payment, the Grantee shall furnish the Franchising Authority with a report showing the Grantee's annual Gross Subscriber Revenues for video services within the Franchise Area during the preceding year. The annual payment for the preceding calendar year will be made to the Franchising Authority by the 5th day of December.

SECTION 3 – Construction and Maintenance of the Cable System

3.1 Permits and General Obligations. The Grantee shall be responsible for obtaining, at its own cost and expense, all generally applicable permits, licenses, or other forms of approval or authorization necessary to construct, operate, maintain or repair the Cable System, or any part thereof, prior to the commencement of any such activity. Construction, installation, and maintenance of the Cable System shall be performed in a

safe, thorough, and reliable manner using materials of good and durable quality. All transmission and distribution structures, poles, other lines, and equipment installed by the Grantee for use in the Cable System in accordance with the terms and conditions of this Franchise Agreement shall be located so as to minimize the interference with the proper use of the Public Ways and the rights and reasonable convenience of property owners who own property that adjoins any such Public Way.

3.2 Conditions of Street Occupancy.

3.2.1 New Grades or Lines. If the grades or lines of any Public Way within the Franchise Area are lawfully changed at any time during the term of this Franchise Agreement, then the Grantee shall, upon reasonable advance written notice from the Franchising Authority (which shall not be less than 10 business days) and at its own cost and expense, protect or promptly alter or relocate the Cable System, or any part thereof, so as to conform with any such new grades or lines. If public funds are available to any other user of the Public Way for the purpose of defraying the cost of any of the foregoing, the Franchising Authority shall notify the Grantee of the availability of such funding and make such funds available to the Grantee.

3.2.2 Relocation at request of Third Party. The Grantee shall, upon reasonable prior written request of any Person holding a permit issued by the Franchising Authority to move any structure, temporarily move its wires to permit the moving of such structure; provided (i) the Grantee may impose a reasonable charge on any Person for the movement of its wires, and such charge may be required to be paid in advance of the movement of its wires; and (ii) the Grantee is given not less than 10 business days advance written notice to arrange for such temporary relocation.

3.2.3 Restoration of Public Ways. If in connection with the construction, operation, maintenance, or repair of the Cable System, the Grantee disturbs, alters, or damages any Public Way, the Grantee agrees that it shall at its own cost and expense replace and restore any such Public Way to a condition reasonably comparable to the condition of the Public Way existing immediately prior to the disturbance.

3.2.4 Safety Requirements. The Grantee shall, at its own cost and expense, undertake all necessary and appropriate efforts to maintain its work sites in a safe manner in order to prevent failures and accidents that may cause damage, injuries or nuisances. All work undertaken on the Cable System shall be performed in substantial accordance with applicable FCC or other federal, state, and local regulations. The Cable System shall not unreasonably endanger or interfere with the safety of Persons or property in the Franchise Area.

3.2.5 Trimming of Trees and Shrubbery. The Grantee shall have the authority to trim trees or other natural growth overhanging any of its Cable System in the Franchise Area so as to prevent contact with the Grantee's wires, cables, or other equipment. All such trimming shall be done at the Grantee's sole cost and expense. The Grantee shall be responsible for any damage caused by such trimming.

3.2.6 Aerial and Underground Construction. At the time of Cable System construction, if all of the transmission and distribution facilities of all of the respective public or municipal utilities in any area of the Franchise Area are underground, the Grantee shall place its Cable System's transmission and distribution facilities underground; provided that such underground locations are actually capable of accommodating the Grantee's cable and other equipment without technical degradation of the Cable System's signal quality. In any region(s) of the Franchise Area where the transmission or distribution facilities of the respective public or municipal utilities are both aerial and underground, the Grantee shall have the discretion to construct, operate, and maintain all of its transmission and distribution facilities, or any part thereof, aerially or underground. Nothing in this Section shall be construed to require the Grantee to construct, operate, or maintain underground any ground-mounted appurtenances such as customer taps, line extenders, system passive devices, amplifiers, power supplies, pedestals, or other related equipment.

3.2.7. Undergrounding and Beautification Projects. In the event all users of the Public Way relocate aerial facilities underground as part of an undergrounding or neighborhood beautification project, Grantee shall participate in the planning for relocation of its aerial facilities contemporaneously with other utilities. Grantee's relocation costs shall be included in any computation of necessary project funding by the municipality or private parties. Grantee shall be entitled to reimbursement of its relocation costs from public or private funds raised for the project and made available to other users of the Public Way.

SECTION 4 - Service Obligations

4.1 General Service Obligation.

4.1.1 The Grantee shall make Cable Service available to every residential dwelling unit within the Franchise Area where the minimum density is at least 30 dwelling units per mile and is within one mile as measured in strand footage from the nearest point on the Cable System trunk or feeder line from which a usable cable signal can be obtained. For purposes of this section, a home shall be counted as a "dwelling unit" if, and only if, such home is within 400 feet of the public right of way. Subject to the density requirement, Grantee shall offer Cable Service to all new homes or previously unserved homes located within 125 feet of the Grantee's distribution cable at the standard installation rate. Should, through new construction, an area within the Franchise Area meet the density requirements, Grantee shall provide Cable Service to such area within one year after it confirms that the density requirements have been met, whether by notice from the Franchising Authority that one or more residents has requested service or otherwise.

4.1.2 The Grantee may elect to provide Cable Service to areas not meeting the above density and distance standards. The Grantee may impose an additional charge in excess of its regular installation charge for any service installation requiring a drop in or line extension in excess of the above standards. Such additional

charge shall be paid by the developer or landowner or customer requesting Cable Service in an area that does not meet the density and distance standards.

4.2 New Developments. Upon request of the Grantee, the Franchising Authority shall provide the Grantee with information concerning the issuance of building or development permits for planned developments within the Franchise Area requiring undergrounding of cable facilities. The Franchising Authority agrees to require the developer, as a condition of issuing the permit, to give the Grantee access to open trenches for deployment of cable facilities and at least 10 business days' written notice of the date of availability of open trenches. Developer shall be responsible for the digging and backfilling of all trenches.

4.3 Programming. The Grantee shall offer to all Customers a diversity of video programming services.

4.4 No Discrimination. The Grantee shall not discriminate or permit discrimination between or among any Persons in the availability of Cable Services or other services provided in connection with the Cable System in the Franchise Area. It shall be the right of all Persons to receive all available services provided on the Cable System so long as such Person's financial or other obligations to the Grantee are satisfied; provided, however, that the Grantee may deny service for good cause, including but not limited to theft of Grantee's services, vandalism of its property, or abuse or harassment of its representatives. Nothing contained herein shall prohibit the Franchisee from offering bulk discounts, promotional discounts, package discounts, or other such pricing strategies as part of its business practice. Grantee shall assure that access to cable services is not denied to any group of potential residential cable subscribers because of the income of the residents of the local area in which such group resides.

SECTION 5 - Public, Educational and Governmental Access Channels

5.1 Grantee shall designate capacity for one channel for public, educational and/or governmental access video programming. Programming for the public, educational and governmental ("PEG") access channel shall be provided by the Franchising Authority or its designee, such as a public access organization or educational institution. Use of a channel position for PEG access shall be provided on the most basic tier of service offered by Grantee in accordance with the Cable Act, Section 611, and Article 1.2 of the Code of Virginia, and as further set forth below. "Channel position" means a number designation on the Grantee's channel lineup regardless of the transmission format (analog or digital). Grantee does not relinquish its ownership of or ultimate right of control over a channel by designating it for PEG use. A PEG access user — whether an individual, educational or governmental user — acquires no property or other interest by virtue of the use of a channel so designated, and may not rely on the continued use of a particular channel number, no matter how long the same channel may have been designated for such use. Grantee shall not exercise editorial control over any public, educational, or governmental use of a channel position, except Grantee may refuse to transmit any public access program or portion of a public access program that contains obscenity, indecency, or nudity. The Franchising

Authority shall be responsible for developing, implementing, interpreting and enforcing rules for PEG Access Channel use.

5.2 Public Access. A "Public Access Channel" is a channel position designated for noncommercial use by the public on a first-come, first-served, nondiscriminatory basis. A Public Access Channel may not be used to cablecast programs for profit, or for nonpolitical or commercial fundraising in any fashion.

5.3 Educational Access. An "Educational Access Channel" is a channel position designated for noncommercial use by educational institutions such as public or private schools (but not "home schools"), community colleges, and universities.

5.4 Government Access. A "Governmental Access Channel" is a channel position designated for noncommercial use by the Franchising Authority for the purpose of showing the public local government at work.

5.5 Indemnification. To the extent permitted by law, the Franchising Authority shall indemnify Grantee for any liability, loss, or damage it may suffer due to Franchising Authority's violation of the intellectual property rights of third parties or arising out of the content of programming shown on any PEG channel and from claims arising out of the Franchising Authority's rules for or administration of access.

SECTION 6 - Customer Service Standards; Customer Bills; and Privacy Protection

6.1 Customer Service Standards. The Franchising Authority hereby adopts the customer service standards set forth in 47 C.F.R. § 76.309, as amended, and any FCC policies promulgated pursuant thereto. The Grantee shall comply in all respects with the customer service requirements established by the FCC.

6.2 Customer Bills. Customer bills shall be designed in such a way as to present the information contained therein clearly and comprehensibly to Customers, and in a way that (i) is not misleading and (ii) does not omit material information. Notwithstanding anything to the contrary in Section 6.1, above, the Grantee may, in its sole discretion, consolidate costs on Customer bills as may otherwise be permitted by Section 622(c) of the Cable Act (47 U.S.C. §542(c)).

6.3 Privacy Protection. The Grantee shall comply with all applicable federal and state privacy laws, including Section 631 of the Cable Act and regulations adopted pursuant thereto.

SECTION 7 - Oversight and Regulation by Franchising Authority

7.1 Oversight of Franchise. In accordance with applicable law, the Franchising Authority shall have the right to oversee, regulate and, on reasonable prior written notice and in the presence of Grantee's employee, periodically inspect the

construction, operation and maintenance of the Cable System in the Franchise Area, and all parts thereof, as necessary to monitor Grantee's compliance with the provisions of this Franchise Agreement.

7.2 Technical Standards. The Grantee shall comply with all applicable technical standards of the FCC as published in subpart K of 47 C.F.R. Part 76. To the extent those standards are altered, modified, or amended during the term of this Franchise, the Grantee shall comply with such altered, modified or amended standards within a reasonable period after such standards become effective. The Franchising Authority shall have, upon written request, the right to obtain a copy of tests and records required to be performed pursuant to the FCC's rules.

7.3 Maintenance of Books, Records, and Files.

7.3.1 Books and Records. Throughout the term of this Franchise Agreement, the Grantee agrees that the Franchising Authority, upon reasonable prior written notice to the Grantee, may review such of the Grantee's books and records regarding the operation of the Cable System and the provision of Cable Service in the Franchise Area which are reasonably necessary to monitor Grantee's compliance with the provisions of this Franchise Agreement at the Grantee's business office, during normal business hours, and without unreasonably interfering with Grantee's business operations. Such books and records shall include any records required to be kept in a public file by the Grantee pursuant to the rules and regulations of the FCC. All such documents pertaining to financial matters that may be the subject of an inspection by the Franchising Authority shall be retained by the Grantee for a minimum period of three years.

7.3.2 File for Public Inspection. Throughout the term of this Franchise Agreement, the Grantee shall maintain at its business office, in a file available for public inspection during normal business hours, those documents required pursuant to the FCC's rules and regulations.

7.3.3 Proprietary Information. Notwithstanding anything to the contrary set forth in this Section, the Grantee shall not be required to disclose information which it reasonably deems to be proprietary or confidential in nature. The Franchising Authority agrees to treat any information disclosed by the Grantee as confidential and only to disclose it to those employees, representatives, and agents of the Franchising Authority that have a need to know in order to enforce this Franchise Agreement and who agree to maintain the confidentiality of all such information. The Grantee shall not be required to provide Customer information in violation of Section 631 of the Cable Act (47 U.S.C. § 551) or any other applicable federal or state privacy law. For purposes of this Section, the terms "proprietary or confidential" include, but are not limited to, information relating to the Cable System design, customer lists, marketing plans, financial information unrelated to the calculation of franchise fees or rates pursuant to FCC rules, or other information that is reasonably determined by the Grantee to be competitively sensitive. In the event that the Franchising Authority receives a request under a state "sunshine," public records or similar law for the disclosure of information the Grantee has designated as confidential, trade

secret or proprietary, the Franchising Authority shall notify Grantee of such request and cooperate with Grantee in opposing such request.

SECTION 8 — Transfer or Change of Control of Cable System or Franchise

8.1 No transfer of this Franchise shall occur without the prior written consent of the Franchising Authority, which consent shall not be unreasonably withheld, delayed or conditioned. No transfer shall be made to a Person, group of Persons or Affiliate that is not legally, technically and financially qualified to operate the Cable System and satisfy the obligations hereunder.

SECTION 9 - Insurance and Indemnity

9.1 Insurance. Throughout the term of this Franchise Agreement, the Grantee shall, at its own cost and expense, maintain Comprehensive General Liability Insurance and provide the Franchising Authority certificates of insurance designating the Franchising Authority and its officers, boards, commissions, councils, elected officials, agents and employees as additional insureds and demonstrating that the Grantee has obtained the insurance required in this Section. Such policy or policies shall be in the minimum amount of: a) Five Million Dollars (\$5,000,000.00) for bodily injury or death to any one person, and Ten Million Dollars (\$10,000,000.00) for bodily injury or death of any two or more persons resulting from one occurrence; b) Five Million Dollars (\$5,000,000.00) for property damage, including damage to the county's property, resulting from any one accident; c) Five Million Dollars (\$5,000,000.00) for all other types of liability resulting from any one occurrence; d) automobile liability insurance with a limit of Five Million Dollars (\$5,000,000.00) for each person and Five Million Dollars (\$5,000,000.00) for each accident for property damage with respect to owned and non-owned automobiles for the operation of which the Grantee is responsible; and e) coverage for copyright infringement. Such policy or policies shall be non-cancelable except upon 30 days' prior written notice to the Franchising Authority. The Grantee shall provide workers' compensation coverage in accordance with applicable law. The Grantee shall indemnify and hold harmless the Franchising Authority from any workers compensation claims to which the Grantee may become subject during the term of this Franchise Agreement.

9.2 Indemnification. The Grantee shall indemnify, defend and hold harmless the Franchising Authority, its officers, employees, and agents from and against any liability or claims resulting from property damage or bodily injury (including accidental death) that result from the Grantee's construction, operation, maintenance or removal of the Cable System, including, but not limited to, reasonable attorneys' fees and costs, provided that the Franchising Authority shall give the Grantee written notice of its obligation to indemnify and defend the Franchising Authority within ten (10) business days of receipt of a claim or action pursuant to this Section. If the Franchising Authority determines that it is necessary for it to employ separate counsel, the costs for such separate counsel shall be the responsibility of the Franchising

SECTION 10 - System Description and Service

10.1 System Capacity. During the term of this Agreement the Grantee's Cable System shall be capable of providing a minimum of 80 channels of video programming with satisfactory reception available to its customers in the Franchise Area.

10.2 Service to School and Government Buildings. Upon receipt of a written request by an authorized representative of the Franchising Authority, the Grantee shall provide free basic tier Cable Service and free installation and necessary receiving equipment at one outlet to each public school, fire station, police station, library and other local building used for government purposes located in the Franchise Area within 125 feet of the Grantee's distribution cable. The excess cost for extending service to buildings not within 125 feet of the Grantee's distribution cable shall be paid by the entity requesting service.

SECTION 11 - Enforcement of Franchise

11.1 Performance Bond. The Grantee shall obtain and maintain during the entire term of the Franchise, and any renewal or extensions thereof, a performance bond from a financial institution licensed to do business in Virginia in the amount of fifty thousand dollars (\$50,000), to ensure the Grantee's faithful performance of its obligations hereunder.

11.2 Non-compliance procedures. Should the Franchising Authority believe that the Grantee has not complied with any of the provisions of this Franchise Agreement, it shall: (i) informally discuss the matter with the Grantee and (ii) notify the Grantee in writing of the exact nature of the alleged noncompliance if the discussions described in the foregoing clause (i) do not lead to resolution of the alleged noncompliance. The Grantee shall have 15 days from receipt of this written notice to: (a) respond to the Franchising Authority, if the Grantee contests, in whole or in part, the assertion of noncompliance; (b) cure such default; or (c) in the event that, by the nature of default, such default cannot be cured within the 15-day period, initiate reasonable steps to remedy such default and notify the Franchising Authority of the steps being taken and the projected date that they will be completed. The Franchising Authority shall schedule a public hearing in the event that the Grantee fails to respond to the written notice pursuant to these procedures or in the event that the alleged default is not remedied within 30 days of the date projected above if the Franchising Authority intends to continue its investigation into the default. The Franchising Authority shall provide the Grantee at least 30 business days prior written notice of such hearing, which will specify the time, place, and purpose.

11.3 Technical Violation. The Franchising Authority agrees that it is not its intention to subject the Grantee to penalties, fines, forfeitures or revocation of the Franchise for so-called "technical" breach(es) or violation(s) of the Franchise, which shall include, but not be limited, to the following:

11.3.1 in instances or for matters where a violation or a breach of the Franchise by the Grantee was good faith error that resulted in no or minimal negative impact on the Customers within the Franchise Area; or

11.3.2 where there existed circumstances reasonably beyond the control of the Grantee and which precipitated a violation by the Grantee of the Franchise, or which were deemed to have prevented the Grantee from complying with a term or condition of the Franchise.

SECTION 12 - Miscellaneous Provisions

12.1 Force Majeure. The Grantee shall not be held in default under, or in noncompliance with, the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default (including termination, cancellation or revocation of the Franchise), where such noncompliance or alleged defaults occurred or were caused by events which constitute a Force Majeure, as defined in the Agreement.

12.2 Notice. All notices shall be in writing and shall be sufficiently given and served upon the other party by hand delivery, first class mail, registered or certified, return receipt requested, postage prepaid, or by reputable overnight courier service and addressed as follows:

To the Franchising Authority:

Botetourt County 1 West
Main Street Fincastle,
VA 24090 Attn: County
Administrator

To the Grantee:

Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New
York/North Carolina/Virginia/Vermont, LLC
21 S. Bruffey Street
Salem, VA 24153
Attn: Government Affairs Department

With copies to:

Comcast Cable
1301 McCormick Dr., 4th Floor
Largo, MD 20774
Attn.: Government Affairs Department

And to:

Comcast Cable Northeast Division

676 Island Pond Rd.
Manchester, NH 03109
Attention: Government Affairs Department

12.3 Entire Agreement. This Franchise Agreement, including all Exhibits, embodies the entire understanding and agreement of the Franchising Authority and the Grantee with respect to the subject matter hereof and supersedes all prior understandings, agreements and communications, whether written or oral. All ordinances or parts of ordinances that are in conflict with or otherwise impose obligations different from the provisions of this Franchise Agreement are superseded by this Franchise Agreement.

12.4 Severability. If any section, subsection, sentence, clause, phrase, or other portion of this Franchise Agreement is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

12.5 Governing Law. This Franchise Agreement shall be deemed to be executed in the Commonwealth of Virginia, and shall be governed in all respects, including validity, interpretation and effect, and construed in accordance with, the laws of the Commonwealth of Virginia, as applicable to contracts entered into and performed entirely within the Commonwealth.

12.6 Modification. No provision of this Franchise Agreement shall be amended or otherwise modified, in whole or in part, except by an instrument, in writing, duly executed by the Franchising Authority and the Grantee, which amendment shall be authorized on behalf of the Franchising Authority through the adoption of an appropriate resolution or order by the Franchising Authority, as required by applicable law.

12.7 No Third-Party Beneficiaries. Nothing in this Franchise Agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of this Franchise Agreement.

12.8 No Waiver of Rights. Nothing in this Franchise Agreement shall be construed as a waiver of any rights, substantive or procedural, Grantee may have under federal or state law unless such waiver is expressly stated herein.

IN WITNESS WHEREOF, this Franchise Agreement has been executed by the duly authorized representatives of the parties as set forth below, as of the date set forth below:

Attest:

Susan H. Fair

Botetourt County

By: David V. Moorman

Name: David V. Moorman

Title: County Administrator

Approved as to form:

Michael W. Lockaby

Michael W.S. Lockaby, County Attorney

Attest:

Comcast of Connecticut/Georgia/Massachusetts/
New Hampshire/New York/North Carolina/
Virginia/Vermont, LLC

By: _____

Name: _____

Title: _____

Date: _____

WHEREAS, the Franchise Authority believes that it is in the best interest of the community to approve the Franchise to be granted to the Franchisee according to the terms and conditions set forth in Exhibit A;

NOW, THEREFORE, BE IT ORDAINED BY THE BOTETOURT COUNTY BOARD OF SUPERVISORS THAT the County Administrator is authorized to execute the Cable Franchise Agreement between Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC, and Botetourt County, Virginia, attached hereto as Exhibit A, subject to final approval as to form by the County Attorney, and upon acceptance thereof by Franchisee, such Agreement shall supersede the Tele Media Franchise and be binding on both parties according to its terms.

A public hearing was then held on proposed amendments to Chapter 2. Administration of the Botetourt County Code to change the name of the Botetourt County Industrial Development Authority. Mr. Moorman stated that, as discussed during the Exit 150 Study presentation last month, the consultant recommended that the name of the County's Industrial Development Authority be changed to an Economic Development Authority to better correspond and reflect the County economic development strategic priorities. He stated that the County is expanding its economic development activities beyond industrial development and this name change was suggested to reflect these priorities.

Mr. Moorman stated that the IDA is in favor of this name change.

Mr. Williamson stated that the Board expects the EDA to take a more active role in the County's economic development efforts and he believes that a non-voting liaison/ex-officio member from the Supervisors should attend the EDA's meetings, similar to the ex-officio member who attends the Planning Commission meetings, to enhance communications between the two groups.

After discussion, the Board agreed to consider this appointment during their January 2016 reorganizational meeting.

Mr. Dodson stated that he thought the appointment of an ex-officio member to the EDA was a very good idea to keep the Supervisors informed of their activities.

After questioning by Dr. Scothorn, it was noted that there was no one present to speak regarding this matter. The public hearing was then closed.

After discussion by the County Attorney, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following amendments to Chapter 2. Administration of the Botetourt County Code to change the name of the Industrial Development Authority of Botetourt County to the Economic Development Authority of Botetourt County and stated that all legal obligations previously incumbent on the IDA are now incumbent on the EDA as they are the same entity. (Resolution Number 15-12-15)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

BOTETOURT COUNTY CODE

* * *

CHAPTER 2

ADMINISTRATION

* * *

ARTICLE VI. ~~INDUSTRIAL~~ ECONOMIC DEVELOPMENT AUTHORITY

Section 2-96. Created; name.

There is hereby created a political subdivision of the commonwealth, the name of which shall be the ~~Industrial~~ Economic Development Authority of Botetourt County, Virginia.

Section 2-97. Board of directors.

The ~~industrial~~ economic development authority shall be governed by a board of directors appointed pursuant to the Code of Virginia, Section 15.2-4904.

Section 2-98. Powers.

The ~~industrial~~ economic development authority shall have such public and corporate powers as are set forth in the Industrial Development and Revenue Bond Act, Code of Virginia Section 15.2-4900 et seq.), including such powers as may be hereafter be set forth from time to time in such act.

Section 2-99 through 2-110 (Reserved)

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into Closed Session at 3:28 P. M. to discuss a prospective economic development prospect and the expansion of an existing business or industry not previously announced as per Section 2.2-3711(A) (5) of the Code of Virginia of 1950, as amended. (Resolution Number 15-12-16)

AYES: Dr. Scothorn, Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 6:01 P. M.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board returned to regular session from Closed Session and adopted the following resolution by roll-call vote. (Resolution Number 15-12-17)

AYES: Mr. Martin, Dr. Scothorn, Mr. Leffel, Mr. Dodson, Mr. Williamson

NAYS: None

ABSENT: None

ABSTAINING: None

BE IT RESOLVED, that to the best of the Board members' knowledge only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed or considered during the Closed Session.

A public hearing was then held on a request in the Buchanan Magisterial District from Julie H. Simmons (Verizon Wireless, lessees) for a Commission permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in an Agricultural A-1 Use District to construct and maintain a 199 foot telecommunications tower within a 5,625 square foot lease area, to be accessed from an existing entrance onto a non-exclusive 20' ingress/egress and utility right-of-way, located on a 64.83-acre parcel adjacent to 340 Penn Hollow Road, Buchanan, (State Route 631) approximately 0.6 miles northeast of its intersection with Springwood Road (State Route 630), identified on the Real Property Identification Maps of Botetourt County as Section 51, Parcel 36A.

It was noted that the Planning Commission had recommended conditional approval of this request.

Ms. Amanda McGee, County Planner, stated that Verizon is proposing to place a 199' telecommunications tower on a 5,625 lease area on property owned by Mrs. Simmons in Springwood. She then read the suggested conditions for this request: "All feed lines shall be installed within the spine of the support structure and all antenna ports shall be sealed in a manner to prevent access by birds and any other wildlife; The facility shall be constructed so that access is only attainable by qualified personnel; The emergency power backup generator noise level shall not exceed 65 dBA at the property edge. Testing shall be limited to the hours between 9:00 A. M. and 4:00 P. M, (Monday through Friday)."

Ms. McGee stated that several comments were received by the public regarding this request at the Planning Commission meeting. She noted that Mr. Gary Peery, adjacent property owner, expressed comments about the views of the tower from his residence and Mrs. Faye Waldron requested information on the impacts that this proposed tower would have on her property. She noted that Mr. William Stewart spoke regarding concerns that the proposed tower would have on the Springwood Airstrip and Glider Port located across the James River from this property.

Ms. McGee stated that properties in this area are zoned for Agricultural A-1 and Agricultural-Rural Residential AR use and the area is hilly. She noted that a 20' ingress/utility easement is proposed to access the 5,625 tower lease area. She stated that the tower will be constructed to support up to three additional carriers' antennas and no major traffic impacts will be generated from this proposed use.

Ms. McGee stated that the Planning Commission members were concerned with the proposed tower's location. She further stated that the County's telecommunications tower consultant reported that the application met all of the County's conditions for placement of such towers. She then noted that Ms. Lorie Schweller with LeClairRyan, Verizon's attorney, Mr. Stephen Waller, representing Verizon Wireless, and Susan Rabold, representing the County's telecommunications consultant (CityScape Consultants, Inc.,) were present at the meeting to answer any questions.

After questioning by Mr. Williamson, Ms. McGee stated that the consultant did not include the impact of this tower on the Springwood Glider Port.

Ms. Schweller stated that, since the Planning Commission meeting, Verizon has become aware of additional facts about the area around the proposed cell tower site including comments made by the neighbors and this has changed their view of this application. Ms. Schweller stated that, of the proposed, viable sites on this parcel, Mrs. Henderson preferred a location on the lower southern end of her 64 acre property.

Ms. Schweller then reviewed several PowerPoint slides containing maps of this area and various photo simulations of how the proposed tower would be viewed from several locations. She stated that this tower would be a monopole design with fencing surrounding the 5,625 lease area and evergreen landscaping to screen the fence from view. Ms. Schweller stated that the tower would be 194' tall capped by a 5' lightning rod and have a matte, galvanized steel finish.

She noted that there is room on the tower for additional co-locators as required by the Zoning Ordinance. She further noted that a search ring consisting of a one mile radius around this proposed location was used to take photographs to determine the impact of the tower's visibility.

Ms. Schweller then displayed propagation maps showing the signal coverage gap in the Springwood area and the improved reception from the location of this cell tower. She further stated that Verizon conducted balloon tests on October 15, 2015, where a large red balloon was tethered to a line 199' in height and then photographs are taken from various locations to assess visibility of the proposed tower. She noted that this information was used to develop their photographic simulations of the tower as viewed from various sites.

Ms. Schweller then noted that this proposed site has minimal impacts on agricultural uses, meets the County's setback requirements, and the existing topography and vegetation will help screen the tower from certain directions. She noted that an existing gravel road on Mrs. Simmons' property will be extended to provide access to the tower site.

After questioning by Mr. Williamson regarding the relevance of the airport in their analyses, Ms. Schweller stated that she believes that some of Verizon's consultants were aware of the airport's location. She noted that the TOWAIR database provides information on any Federal Aviation Administration (FAA) rated airports within a five mile radius and it did not indicate the location of this airport. Ms. Schweller stated that this is a private airport which is not overseen/regulated by the FAA and they were unaware of the airport's location when compiling their information for this SEP request. Ms. Schweller stated that Verizon "did everything that was required" in their information gathering process for this application.

After questioning by Mr. Martin, Ms. Schweller stated that she could not speak as to whether the cell tower would impact the glide path of this airport. She noted that the airport's owner would be the best person to provide this information.

Mrs. Simmons, applicant, stated that she "does not know what the big to do is" regarding the location of this tower on her property. Mrs. Simmons stated that gliders use the valley that comes over her residence to take off and land at the airport and this valley is nowhere near the proposed tower location. She noted that there is no way that the tower will be in the airplanes' glide paths.

After discussion, Mrs. Simmons further stated that the noise from the tow planes and the gliders scare her horses even when they are in a barn and she mentioned having a "no fly zone" above her property. She further noted that the Waldron house is unoccupied at this time.

Mr. Matt Peery of Meryls Road stated that he is not opposed to this tower but would prefer a different location further back toward the adjacent bluff. Mr. Peery stated that this proposed location would be no more than 300' from his property line and he believes that the tower would impact his property value.

Mr. Peery noted that Ms. Schweller previously mentioned that Verizon representatives did not take any photographs from private property when conducting their balloon study; however, this is not correct as photographs were taken from his property. Mr. Peery further noted that he believes that the location of this tower would also impact his mother's property value.

Ms. Laurel Peery of Penn Hollow Road stated that she is not against this cell tower request; however, she will be able to see the tower from her property and from her mother's property. Ms. Peery stated that this structure will decrease their property values. She noted that it would be preferred that the tower be moved further back on the property.

Ms. Peery noted that she and her husband have had discussions with the Waldrons about purchasing their property. Ms. Peery stated that she is also concerned about the long-term effects on adults and children from cell tower signals.

Mr. Steve Lovell of Cloverdale stated that Verizon does things “top shelf” and he is looking forward to the benefits of this tower for the County and its Emergency Services response personnel.

After questioning by Mr. Lovell, it was noted that there would be no FAA-required flashing, aviation-warning light on the top of this cell tower. Mr. Lovell stated that he is in support of this request.

Mr. Gary Peery of Peery Lane stated that his home is the second closest residence to this proposed tower. Mr. Peery stated that over the past week he has presented the Board members with a packet of information regarding his concerns regarding this request. Mr. Peery stated that Verizon has not complied with the County’s ordinances which require that these towers be kept away from and minimize their impact on local citizens. He also stated that the company has submitted misleading photographic renderings as the pictures were taken on a rainy/foggy day prior to the trees losing their leaves. Mr. Peery stated that he does not know “if this was innocuous on their (Verizon’s) part.”

Mr. Peery stated that Verizon should have approached the citizens and allowed them to be involved in the tower’s planning process. He stated that the citizens “need to know” about these requests and the County should strengthen its ordinances to consider the impacts on citizens from these towers and require the company to mitigate the impacts. Mr. Peery further stated that he did not receive notification from the County of the Planning Commission’s public hearing on this request until a few days before the Commission’s meeting.

After discussion, Mr. Peery stated that he is not against the tower and offered alternate locations on the Simmons property—700’ southeast of the proposed location, or northwest toward River Road on the formerly-known Stuart farm. Mr. Peery stated that he questions the benefits that this tower would bring to the area’s residents as there are only approximately 100 homes in the one mile wide target area.

After questioning by Mr. Williamson, Mr. Peery stated that both of his alternate tower sites are located on the Simmons property. After further questioning, Mr. Peery stated that the planes/gliders go over the Simmons’ hayfield near the proposed tower location “at tree-top height.”

Mr. Sanford Stewart of Intermont Farm Lane in Buchanan stated that he owns the Springwood Glider Port and has operated the facility since receiving a Special Exceptions Permit from the County for this use in 1983. Mr. Stewart stated that this facility does have an FAA designation (08VA), is shown on the Cincinnati sectional map as a private airport, and he is required to submit yearly reports to the State on operations and activities at this facility.

Mr. Stewart stated that the proposed tower’s location could provide hazards for departure and approaches at the airport as it would be directly in line with the main runway. Mr. Stewart noted that he supports the landowner’s desire to use the property for this purpose but requests that an alternate location be considered.

After questioning by Dr. Scothorn, Mr. Stewart stated that he believes that the proposed location would cause a conflict for low-flying aircraft in this area.

After questioning by Dr. Scothorn, it was noted that there was no one else present to speak regarding this request. The public hearing was then closed.

Mr. Lockaby then stated that one of the citizens who spoke regarding this request mentioned the possibility of long-term health effects from cell tower signals. He stated that this issue is not a legally permissible consideration for the Board in their decision on this request.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that her Department sends notification letters regarding upcoming rezoning and SEP requests to all adjacent property owners by certified, return-receipt mail prior to the Planning Commission meeting. Mrs. Pendleton stated that she did not recall the exact period when these letters were mailed prior to the Commission meeting but it was in compliance with the County Code.

Mrs. Karen Peery of Meryl's Road stated that some of the pictures used by Verizon in their presentation were taken from her private driveway. Mrs. Peery further noted that she did not receive a public hearing notification letter regarding this request.

Mr. Williamson stated that he thinks that a tower would be a good idea to improve the 4G cellphone capability in this area; however, the tower's potential impact on the airport traffic gives him some concern. He questioned if Verizon "would like an opportunity to mitigate this concern."

Ms. Schweller stated that her client would like an opportunity to determine whether there would be any safety concerns if the tower is located on the recommended site. Ms. Schweller stated that she learned about the close proximity of this airport yesterday and is not an expert in determining whether the cell tower would impact local, private air traffic.

She then requested a deferral of this request's hearing to allow Verizon's engineers and consultants an opportunity to review this information and determine if there are any potential safety considerations. After discussion, Ms. Schweller stated that visibility of the tower on the proposed location is not an issue. She noted that a suitable location for this cell tower has to be found based on the needs of the network and what the impacted landowner agrees to. Ms. Schweller also stated that she understands the comments made by the area residents who would be able to view this tower from their property.

After questioning by Mr. Williamson, Ms. Schweller stated that, if the proposed tower site is moved more than 50', then Verizon would have to "basically start over" with their site review and signal propagation studies. Ms. Schweller requested a six month delay in consideration of this cell tower request by the Board of Supervisors.

After further questioning by Mr. Williamson, Ms. Schweller stated that a delay until the Supervisors' July 2016 meeting would be satisfactory.

After questioning, Mr. Lockaby stated that if, in the Zoning Administrator's opinion, the proposed tower's location is in a similar location to the site considered by the Board today, then no additional public hearing would be required prior to reconsideration in July 2016; however, if the tower is relocated to a site off of the Simmons property, then the request would have to be readvertised for public hearings before the Planning Commission and Board.

Mr. Williamson then made a motion, which was seconded by Mr. Martin, to table the request in the Buchanan Magisterial District from Julie H. Simmons (Verizon Wireless, lessees) for a Commission permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in an Agricultural (A-1) Use District to construct and maintain a 199 foot telecommunications tower within a 5,625 square foot lease area, to be accessed from an existing entrance onto a non-exclusive 20' ingress/egress and utility right-of-way, located on a 64.83-acre parcel adjacent to 340 Penn Hollow Road, Buchanan, (State Route 631) approximately 0.6 miles northeast of its intersection with Springwood Road (State Route 630), identified on the Real Property Identification Maps of Botetourt County as Section 51, Parcel 36A, until the Board of Supervisors' July 2016 regular meeting to allow the

applicant an opportunity to evaluate the implications of the nearby private airport and the area's air traffic patterns on the proposed tower location. (Resolution Number 15-12-18)

Mr. Leffel then stated that he understands that to move the tower's location more than 50' would require Verizon to conduct new signal propagation studies; however, if their previous studies indicated that the location specified in the public hearing advertisement is the best location for this tower then this is where it will be located.

Ms. Schweller stated that because the advertised site was chosen does not mean that another site will not work almost as well for this tower's location. She noted that Verizon's radio frequency engineers would be responsible for making this determination.

Mr. Leffel noted that a compromise is needed on the cell tower's location in order to satisfy everyone's concerns.

There being no further discussion, Mr. Williamson's motion to table this request was approved by the following recorded vote:

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

After questioning by Dr. Scothorn, Mr. Lockaby stated that the Board will take the concerns mentioned by the citizens' at today's hearings into consideration when this issue is reconsidered in July 2016.

Dr. Scothorn stated that he would like to see everyone satisfied with this tower's location but noted that Verizon has been working on this request for three years.

Mr. Williamson stated that he was dissatisfied that Verizon had been reviewing cell tower locations in this area for three years and no one knew that there was a private airport located nearby.

A public hearing was then held on a request in the Amsterdam District from Layman Family, LLC, to rezone, with possible proffered conditions, a 13.42-acre parcel from a Business (B-2) Use District to a Planned Office Park (POP) Use District for business use located at 147 Daleville Centre Drive, Daleville, at its intersection with Valley Road (State Route 779), with additional access via the Roanoke Road (U. S. Route 220)/Layman Lane intersection (as shown on Tax Map 101-93), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 109A.

It was noted that the Planning Commission had recommended conditional approval of this request.

Mrs. Nicole Pendleton, Planning Manager, stated that this rezoning request is being requested to allow the applicant to subdivide this lot so that these separate parcels can be sold. She noted that, under the current B-2 zoning designation, this property cannot be subdivided, as all lots are required to have frontage and access from a State-maintained road.

Mrs. Pendleton stated that this property was conditionally rezoned in 1999 from Agricultural A-1 to Business B-2 and in 2005 an application was received for a two-lot subdivision which also addressed the private road issue. She noted that the 2005 application was denied. She stated that today's rezoning request would eliminate the proffered conditions approved with the property's 1999 rezoning.

After discussion, Mrs. Pendleton noted that the POP district does not have the same access requirements as the Business zoning districts and allows for similar uses as the B-1 and

B-2 zoning districts, but is more restrictive in terms of permissible retail uses. She further noted that there are currently no POP zoning districts in the County.

Mrs. Pendleton stated that the applicant would like to subdivide the parcel into six lots—one containing the existing building, one consisting of the telecommunications tower site, and four new lots.

She then read the proffered conditions as follows: "Development will be in substantial conformance to concept plan shown on plat by McMurry Surveyors, Inc., dated August 27, 2015; Building material for new structures will be brick, concrete, tacit, stone and/or earth tone metal; Common areas, which includes but are not limited to the 50' private access easement (Daleville Center Drive), parking areas, drive aisles or roadways and sidewalks, will be maintained by property owners through a property owner's association. Property owners will be assessed a prorated annual fee to be managed by the property owner's association and used for maintenance and repairs of such areas. The property owner's association will be governed by Covenants and Restrictions; All lots will be served by existing public water, sewer and utilities. Easements will be granted to each lot; All sidewalks will be concrete; All driveways will be paved with curb and gutter; Existing and proposed parking will be shared between lots through cross access easements established in Covenants and Restrictions document. The Covenants and Restrictions document will be recorded simultaneously with subdivision plat; Access will be from Valley Road (SR779) and Roanoke Road (US220) by existing and proposed 50' right-of-ways."

After discussion, Mrs. Pendleton stated that no citizens spoke regarding this request at the Planning Commission meeting. She noted that the Commission members had concerns regarding road maintenance and whether the site's stormwater detention pond could handle the extra run-off from these new developable lots. Mrs. Pendleton stated that the detention pond could be enlarged, if needed, for future development and, if the pond is not large enough to handle the additional runoff, then lot six could be utilized for this purpose.

After questioning by Mr. Williamson, Mrs. Pendleton stated that, until land is disturbed on one of the new parcels, the capacity of the existing detention pond is not an issue. She further noted that the applicant would be responsible for providing data on whether the detention pond has the capacity to handle any additional runoff from the new lots or if another option is needed.

After questioning, Mr. Chris McMurry, Certified Land Surveyor for Layman Family, LLC, stated that he had no additional information to add to Mrs. Pendleton's presentation on this request.

After questioning by Mr. Williamson, Mr. Allen Layman stated that this rezoning application as submitted has his full support.

After questioning, it was noted that there was no one else present to speak regarding this request. The public hearing was then closed.

There being no further discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this request with the following conditions. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other: (Resolution Number 15-12-19)

LAYMAN FAMILY, LLC

In the Amsterdam District to rezone a 13.42-acre parcel from a Business (B-2) Use District to a Planned Office Park (POP) Use District for business use located at 147 Daleville Centre Drive, Daleville, at its intersection with Valley Road (State Route 779), with additional access via the Roanoke Road (U. S. Route 220)/Layman Lane intersection (as shown on Tax Map 101-93), identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 109A.

1. Development will be in substantial conformance to concept plan shown on plat by McMurry Surveyors, Inc., dated August 27, 2015.
2. Building material for new structures will be brick, concrete, tacit, stone and/or earth tone metal.
3. Common areas, which includes but are not limited to the 50' private access easement (Daleville Centre Drive), parking areas, drive aisles or roadways and sidewalks, will be maintained by property owners through a property owners association. Property owners will be assessed a prorated annual fee to be managed by the property owners association and used for maintenance and repairs of such areas. The property owners association will be governed by Covenants and Restrictions.
4. All lots will be served by existing public water, sewer and utilities. Easements will be granted to each lot.
5. All sidewalks will be concrete.
6. All driveways will be paved with curb and gutter.
7. Existing and proposed parking will be shared between lots through cross access easements established in Covenants and Restrictions document. The Covenants and Restrictions document will be recorded simultaneously with subdivision plat.
8. Access will be from Valley Road (SR779) and Roanoke Road (US220) by existing and proposed 50' right-of-ways.

After discussion with the County Attorney, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board tabled indefinitely consideration of a request in the Valley Magisterial District from RYT, LLC, for a text amendment to Section 25-284. District Requirements of Chapter 25 Zoning of the Botetourt County Code to increase the maximum district size of the Neighborhood-type Shopping Center from nine to twelve acres; to rezone, with possible proffered conditions, a 1.781-acre lot from a Business (B-3) and Industrial (M-1) Use Districts to a Shopping Center (SC) Use District; and a Special Exception Permit on 0.833 acres, with possible conditions, for a convenience store, to include fuel sales, located at 2780 Lee Highway (U.S. Route 11), Troutville, on property located in the southern corner of the Lee Highway/Cloverdale Road (Alternate U. S. Route 220) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 176, due to issues with the property's boundaries and deed descriptions. (Resolution Number 15-12-20)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the meeting was adjourned at 7:05 P. M. (Resolution Number 15-12-21)

AYES: Mr. Martin, Mr. Williamson, Mr. Dodson, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

AGENDA ITEM: Requests for Transfers.

The following transfers are needed for the reasons indicated. Unless the Board has questions or concerns, it is recommended that they be approved by a single resolution as follows:

1. Transfer \$1,559.41 to Sheriff's Department - Vehicle & Power Equipment Supplies, 100-4031200-6009, from the various departments as follows for vehicle repairs at the County Garage:
 - \$ 35.43 Deputy Co. Admin.–Rep. & Maint. – Vehicles, 100-4012121-3312
 - \$147.22 Animal Control–Veh. & Power Equip. Suppl., 100-4035100-6009
 - \$212.45 Fire & EMS – Repairs & Maint. – Vehicles, 100-4035500-3312
 - \$107.34 Comm. Devel. – Repair & Maint. – Vehicles, 100-4034000-3312
 - \$ 20.54 Tech. Svces. – Repair & Maint. – Vehicles, 100-4012510-3312
 - \$ 22.27 Waste Mgt. – Repair & Maint. – Vehicles, 100-4042400-3312
 - \$ 85.31 Maintenance – Repair & Maint. – Vehicles, 100-4043000-3312
 - \$382.51 Van Program – Repair & Maint. – Vehicles, 100-4071500-3312
 - \$ 75.65 Library – Repair & Maint. - Vehicles, 100-4073100-3312
 - \$ 20.54 Tourism – Veh. & Power Equip Supplies, 100-4081600-6009
 - \$450.15 General Svces. - Repair & Maint. – Vehicles, 100-4040000-3312

2. Transfer \$36,000 from Van Program Fund to General Fund – Unassigned Fund Balance. These funds are for the purchase of a 2015 Ford Transit Connect Van to be used for the County Van Program.

Mary Anne 1-21-2016

AGENDA ITEM: Requests for Additional Appropriations.

The following supplemental appropriations are needed for the reasons indicated. Unless the Board has questions or concerns, it is recommended that they be approved by a single resolution as follows:

PASS-THRU APPROPRIATIONS:

1. Additional appropriation in the amount of \$300 to Library – Books and Subscriptions, 100-4073100-6012. These are donation funds received from William Whitwell.
2. Additional appropriation in the amount of \$366.50 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. This is a cost reimbursement for field marking of the LBHS football field for a playoff game.
3. Additional appropriation in the amount of \$400 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. These are donated funds received from Dick's Sporting Goods for the purchase of youth sports equipment.
4. Additional appropriation in the amount of \$2,571.63 to Correction & Detention – Medical & Lab Supplies, 100-4033100-6014. These are medical copays received for medical services provided to inmates.
5. Additional appropriation in the amount of \$484.43 to the following Sheriff's Department accounts: \$450 to Ballgame Pay, 100-4031200-1500; and \$34.43 to FICA, 100-4031200-2100. These are funds received for providing security at the LBHS football playoff game.
6. Additional appropriation in the amount of \$100,000 to CIP – Industrial Site Development, 100-4094801. This represents a repayment of Governor's Opportunity Fund monies from Tread Corporation for not meeting economic development performance standards. These funds will be paid back to the Commonwealth of Virginia and this payment is reflected in this month's accounts payable disbursements.
7. Additional appropriation in the amount of \$225,000 to CIP – Industrial Site Development, 100-4094801. These are Commonwealth's Opportunity Funds to be passed through to Dynax America Corporation relating to their current economic development expansion project. The payment is included in this month's accounts payable disbursements.
8. Additional appropriation in the amount of \$36,000 to Van Program – Capital Outlay – Motor Vehicle/Equipment, 100-4071500-8005. This is an appropriation of transfer request # 2.

Mary K... 1/21/2016

**BOTETOURT COUNTY, VIRGINIA
 ACCOUNTS PAYABLE SUMMARY
 JANUARY, 2016**

	<u>\$ Amount</u>
Total Expenditures For the Month - Regular	\$ <u>984,643.61</u>
Consisting of:	
General Fund	\$ 984,643.61
Debt Service Fund	-
Total	\$ <u>984,643.61</u>
<hr/>	
Short Accounts Payable	\$ <u>627,775.49</u>
Consisting of:	
General Fund	\$ 624,720.49
Debt Service Fund	3,055.00
Total	\$ <u>627,775.49</u>
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Note: The Short A/P includes \$ 270,520 of second-half FY16 operational support payments for the County's fire and rescue agencies.

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4011010-3100	Board of Supervisors	Professional Services	GUYNN & WADDELL, PC	8,233.33
100-4011010-3100	Board of Supervisors	Professional Services	GUYNN & WADDELL, PC	3,187.26
100-4011010-3600	Board of Supervisors	Advertising	MONTGOMERY PUBLISHING, LL	3,315.00
100-4011010-5530	Board of Supervisors	Subsistence & Lodging	VISA	31.08
100-4011010-5530	Board of Supervisors	Subsistence & Lodging	VISA	124.79
100-4011010-6014	Board of Supervisors	Other Operating Supplies	PETTY CASH, CO ADMIN	17.00
100-4011010-6014	Board of Supervisors	Other Operating Supplies	SPICKARD LLC	75.00
Account 4011010 Total:				14,983.46
100-4012110-2200	County Administrator	Retirement	VANTAGEPOINT TRANSFER AGE	291.67
100-4012110-2300	County Administrator	Hospital/Medical Plan	CORVESTA SERVICES, INC	71.16
100-4012110-3320	County Administrator	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	158.87
100-4012110-5530	County Administrator	Subsistence & Lodging	DOLLAR GENERAL	9.85
100-4012110-6001	County Administrator	Office Supplies	ART IMAGES	210.00
100-4012110-6001	County Administrator	Office Supplies	ROANOKE STAMP	24.40
100-4012110-6001	County Administrator	Office Supplies	OFFICE DEPOT	57.12
100-4012110-6001	County Administrator	Office Supplies	SUPPLY ROOM COMPANIE	15.54
100-4012110-6001	County Administrator	Office Supplies	OFFICE DEPOT	239.99
100-4012110-6012	County Administrator	Books & Subscriptions	ROANOKER	14.95
100-4012110-6014	County Administrator	Other Operating Supplies	LARROWE, GARY	2,780.62
100-4012110-8007	County Administrator	Cap Otly - EDP Equipmt	VISA	1,116.12
Account 4012110 Total:				4,990.29
100-4012121-2300	Deputy Administrators	Hospital/Medical Plan	CORVESTA SERVICES, INC	71.16
100-4012121-3312	Deputy Administrators	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	1.10
100-4012121-3320	Deputy Administrators	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	274.59
100-4012121-3320	Deputy Administrators	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	371.49
100-4012121-5230	Deputy Administrators	Telecommunications	MOORMAN, DAVID	35.00
100-4012121-5230	Deputy Administrators	Telecommunications	SEXTON, ADAM	35.00
100-4012121-5230	Deputy Administrators	Telecommunications	VERIZON WIRELESS	40.01
100-4012121-5840	Deputy Administrators	Marketing	ENGINEERING CONCEPTS	60.00
100-4012121-6001	Deputy Administrators	Office Supplies	MOUNTAIN SPRINGS	12.95
100-4012121-6001	Deputy Administrators	Office Supplies	MOUNTAIN SPRINGS	8.67
100-4012121-6001	Deputy Administrators	Office Supplies	OFFICE DEPOT	8.05
100-4012121-6001	Deputy Administrators	Office Supplies	OFFICE DEPOT	4.54
100-4012121-6001	Deputy Administrators	Office Supplies	OFFICE DEPOT	20.99
100-4012121-6001	Deputy Administrators	Office Supplies	OFFICEMAX CONTRACT	50.24
100-4012121-6001	Deputy Administrators	Office Supplies	OFFICEMAX CONTRACT	5.89
100-4012121-6001	Deputy Administrators	Office Supplies	SUPPLY ROOM COMPANIE	391.64
Account 4012121 Total:				1,391.32
100-4012310-2300	Commissioner of Revenue	Hospital/Medical Plan	CORVESTA SERVICES, INC	142.32
100-4012310-2500	Commissioner of Revenue	Disability Insurance	VACO INSURANCE PROGRAMS	12.78
100-4012310-3100	Commissioner of Revenue	Professional Services	PETTY CASH, COMM OF REVEN	70.00
100-4012310-3100	Commissioner of Revenue	Professional Services	DIGITAL IMAGE PRINTING	1,216.75
100-4012310-3160	Commissioner of Revenue	Pymt for Collection Ser	STURGIS WEB SERVICES	600.00
100-4012310-3320	Commissioner of Revenue	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	124.00
100-4012310-5210	Commissioner of Revenue	Postal Services	PETTY CASH, CO ADMIN	297.75
100-4012310-5210	Commissioner of Revenue	Postal Services	AUTOMATED MAILING SYSTEMS	953.53

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4012310-5530	Commissioner of Revenue	Subsistence & Lodging	PETTY CASH, COMM OF REVEN	26.33
100-4012310-6001	Commissioner of Revenue	Office Supplies	SUPPLY ROOM COMPANIE	309.90
100-4012310-6001	Commissioner of Revenue	Office Supplies	DIGITAL IMAGE PRINTING	766.47
100-4012310-6001	Commissioner of Revenue	Office Supplies	DIGITAL IMAGE PRINTING	473.59
100-4012310-6001	Commissioner of Revenue	Office Supplies	DIGITAL IMAGE PRINTING	221.36
100-4012310-6001	Commissioner of Revenue	Office Supplies	VIRGINIA OFFICE SUPP	3.95
100-4012310-6001	Commissioner of Revenue	Office Supplies	DIGITAL IMAGE PRINTING	93.46
Account 4012310 Total:				5,312.19
100-4012410-2300	Treasurer	Hospital/Medical Plan	CORVESTA SERVICES, INC	118.60
100-4012410-2500	Treasurer	Disability Insurance	VACO INSURANCE PROGRAMS	28.82
100-4012410-3160	Treasurer	Pymt for Collection Ser	TAXING AUTHORITY CONSULTI	1,490.50
100-4012410-3160	Treasurer	Pymt for Collection Ser	STURGIS WEB SERVICES	1,275.00
100-4012410-3160	Treasurer	Pymt for Collection Ser	DEPARTMENT OF MOTOR VEHIC	440.00
100-4012410-3320	Treasurer	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	110.74
100-4012410-3320	Treasurer	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	114.40
100-4012410-3500	Treasurer	Printing & Binding	M & W PRINTERS	1,545.99
100-4012410-3600	Treasurer	Advertising	MONTGOMERY PUBLISHING, LL	225.00
100-4012410-5540	Treasurer	Convention & Education	PETTY CASH, TREASURER	70.00
100-4012410-5540	Treasurer	Convention & Education	PETTY CASH, TREASURER	25.00
100-4012410-5810	Treasurer	Dues & Assoc Memberships	PETTY CASH, TREASURER	125.00
100-4012410-5810	Treasurer	Dues & Assoc Memberships	PETTY CASH, TREASURER	200.00
100-4012410-6001	Treasurer	Office Supplies	OFFICE DEPOT	14.15
100-4012410-6001	Treasurer	Office Supplies	TRANSACT TECHNOLOGIES	111.32
100-4012410-6001	Treasurer	Office Supplies	TRANSACT TECHNOLOGIES	9.99
Account 4012410 Total:				5,904.51
100-4012430-2300	Financial Services	Hospital/Medical Plan	CORVESTA SERVICES, INC	47.44
100-4012430-2500	Financial Services	Disability Insurance	VACO INSURANCE PROGRAMS	16.55
100-4012430-3320	Financial Services	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	109.01
100-4012430-3320	Financial Services	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	106.74
100-4012430-6001	Financial Services	Office Supplies	OFFICE DEPOT	13.28
100-4012430-6001	Financial Services	Office Supplies	OFFICE DEPOT	70.14
100-4012430-6001	Financial Services	Office Supplies	MYBINDING.COM	60.07
100-4012430-6001	Financial Services	Office Supplies	VIRGINIA OFFICE SUPP	44.49
100-4012430-6001	Financial Services	Office Supplies	MOUNTAIN SPRINGS	13.00
100-4012430-6001	Financial Services	Office Supplies	OFFICE DEPOT	16.14
100-4012430-6001	Financial Services	Office Supplies	SUPPLY ROOM COMPANIE	20.42
Account 4012430 Total:				517.28
100-4012510-2300	Technology Services	Hospital/Medical Plan	CORVESTA SERVICES, INC	142.32
100-4012510-2500	Technology Services	Disability Insurance	VACO INSURANCE PROGRAMS	14.46
100-4012510-3100	Technology Services	Professional Services	INNOVATIVE SYSTEMS & SOLU	220.00
100-4012510-3311	Technology Services	Repairs & Maint - Equipment	AMAZON.COM CREDIT	367.45
100-4012510-3311	Technology Services	Repairs & Maint - Equipment	DELL MARKETING	484.99
100-4012510-3311	Technology Services	Repairs & Maint - Equipment	NEWEGG.COM	20.99
100-4012510-3311	Technology Services	Repairs & Maint - Equipment	NEWEGG.COM	50.98
100-4012510-3311	Technology Services	Repairs & Maint - Equipment	NEWEGG.COM	15.84
100-4012510-3312	Technology Services	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	0.73

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4012510-3320	Technology Services	Maint Service Contracts	EGTS	4,225.73
100-4012510-3320	Technology Services	Maint Service Contracts	SITEVISION	554.10
100-4012510-3320	Technology Services	Maint Service Contracts	EGTS	4,225.73
100-4012510-5230	Technology Services	Telecommunications	COMCAST	152.82
100-4012510-5230	Technology Services	Telecommunications	COMCAST	47.52
100-4012510-5230	Technology Services	Telecommunications	VERIZON WIRELESS	297.24
100-4012510-5230	Technology Services	Telecommunications	COMCAST	275.65
100-4012510-5530	Technology Services	Subsistence & Lodging	VISA	69.63
100-4012510-5540	Technology Services	Convention & Education	FAST LANE CONSULTING AND	3,420.00
100-4012510-6001	Technology Services	Office Supplies	MOUNTAIN SPRINGS	19.50
100-4012510-6001	Technology Services	Office Supplies	OFFICE DEPOT	2.26
100-4012510-6001	Technology Services	Office Supplies	OFFICE DEPOT	10.47
100-4012510-6001	Technology Services	Office Supplies	OFFICE DEPOT	93.59
Account 4012510 Total:				14,712.00
100-4012530-2300	Central Purchasing	Hospital/Medical Plan	CORVESTA SERVICES, INC	23.72
100-4012530-3320	Central Purchasing	Maint Service Contracts	CANON FINANCIAL SERVICES	111.90
100-4012530-5810	Central Purchasing	Dues & Assoc Memberships	VIRGINIA ASSOCIATION OF G	70.00
100-4012530-6001	Central Purchasing	Office Supplies	OFFICE DEPOT	5.59
100-4012530-6001	Central Purchasing	Office Supplies	SUPPLY ROOM COMPANIE	49.30
100-4012530-6001	Central Purchasing	Office Supplies	OFFICE DEPOT	3.62
100-4012530-6001	Central Purchasing	Office Supplies	MOUNTAIN SPRINGS	6.50
100-4012530-6001	Central Purchasing	Office Supplies	SUPPLY ROOM COMPANIE	2.52
100-4012530-6001	Central Purchasing	Office Supplies	MOUNTAIN SPRINGS	29.85
100-4012530-6001	Central Purchasing	Office Supplies	OFFICE DEPOT	7.63
100-4012530-6001	Central Purchasing	Office Supplies	OFFICE DEPOT	5.03
Account 4012530 Total:				315.66
100-4012560-2300	Central Garage	Hospital/Medical Plan	CORVESTA SERVICES, INC	23.72
100-4012560-3311	Central Garage	Repairs & Maint - Equipment	SNAP-ON TOOLS	138.65
100-4012560-3311	Central Garage	Repairs & Maint - Equipment	FIRST CALL	249.99
100-4012560-6001	Central Garage	Office Supplies	SUPPLY ROOM COMPANIE	30.99
100-4012560-6011	Central Garage	Uniforms & Wearing Apparel	ALSCO	37.04
100-4012560-6011	Central Garage	Uniforms & Wearing Apparel	SUPER SHOE STORES	143.99
Account 4012560 Total:				624.38
100-4013300-2300	Electoral Bd/Registrar	Hospital/Medical Plan	CORVESTA SERVICES, INC	23.72
100-4013300-2500	Electoral Bd/Registrar	Disability Insurance	VACO INSURANCE PROGRAMS	26.53
100-4013300-3320	Electoral Bd/Registrar	Maint Service Contracts	CANON FINANCIAL SERVICES	149.69
100-4013300-3320	Electoral Bd/Registrar	Maint Service Contracts	LEONARD'S COPY SYSTEMS	124.34
100-4013300-3320	Electoral Bd/Registrar	Maint Service Contracts	LEONARD'S COPY SYSTEMS	115.41
100-4013300-3500	Electoral Bd/Registrar	Printing & Binding	WOODY GRAPHICS	282.75
100-4013300-5420	Electoral Bd/Registrar	Lease/Rent of Buildings	SPICKARD LLC	1,010.04
100-4013300-5540	Electoral Bd/Registrar	Convention & Education	VIRGINIA ELECTORAL BOARD	140.00
100-4013300-5810	Electoral Bd/Registrar	Dues & Assoc Memberships	VIRGINIA ELECTORAL BOARD	160.00
100-4013300-5810	Electoral Bd/Registrar	Dues & Assoc Memberships	VOTER REGISTRARS ASSOCIAT	170.00
100-4013300-6001	Electoral Bd/Registrar	Office Supplies	OFFICE DEPOT	215.29
100-4013300-6001	Electoral Bd/Registrar	Office Supplies	SUPPLY ROOM COMPANIE	309.90
100-4013300-6001	Electoral Bd/Registrar	Office Supplies	OFFICE DEPOT	24.99

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4013300-6001	Electoral Bd/Registrar	Office Supplies	OFFICE DEPOT	18.39
100-4013300-6001	Electoral Bd/Registrar	Office Supplies	OFFICE DEPOT	41.38
100-4013300-6014	Electoral Bd/Registrar	Other Operating Supplies	ELECTION SYSTEMS & SOFTWA	1,552.13
100-4013300-6014	Electoral Bd/Registrar	Other Operating Supplies	DUNMAR MOVING SYSTEMS	4,050.00
100-4013300-8012	Electoral Bd/Registrar	Cap Otly - Othr Capital	PRINTELECT	18,225.00
			Account 4013300 Total:	26,639.56
100-4021100-2300	Circuit Court	Hospital/Medical Plan	CORVESTA SERVICES, INC	23.72
			Account 4021100 Total:	23.72
100-4021200-3100	General District Court	Professional Services	CLAY, RONNIE L	90.00
100-4021200-3100	General District Court	Professional Services	COVATI, C.J.	120.00
100-4021200-3320	General District Court	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	159.70
100-4021200-5810	General District Court	Dues & Assoc Memberships	VIRGINIA BAR ASSOCIATION	325.00
100-4021200-5810	General District Court	Dues & Assoc Memberships	VIRGINIA COUNCIL OF JUVEN	50.00
100-4021200-6001	General District Court	Office Supplies	OFFICEMAX CONTRACT	63.91
100-4021200-6001	General District Court	Office Supplies	SUPPLY ROOM COMPANIE	8.49
100-4021200-6012	General District Court	Books & Subscriptions	THOMSON REUTERS-WEST	415.00
			Account 4021200 Total:	1,232.10
100-4021300-5810	Magistrate	Dues & Assoc Memberships	THOMSON REUTERS-WEST	24.50
100-4021300-6012	Magistrate	Books & Subscriptions	THOMSON REUTERS-WEST	185.00
			Account 4021300 Total:	209.50
100-4021600-2300	Clerk of Circuit Court	Hospital/Medical Plan	CORVESTA SERVICES, INC	142.32
100-4021600-3311	Clerk of Circuit Court	Repairs & Maint - Equipment	TYCO INTEGRATED SECURITY	520.61
100-4021600-5210	Clerk of Circuit Court	Postal Services	PETTY CASH, CLERK OF COUR	14.46
100-4021600-5210	Clerk of Circuit Court	Postal Services	PETTY CASH, CLERK OF COUR	537.95
100-4021600-6001	Clerk of Circuit Court	Office Supplies	ART PRINTING COMPANY	714.00
100-4021600-6001	Clerk of Circuit Court	Office Supplies	C W WARTHEN COMPANY	1,912.32
100-4021600-6001	Clerk of Circuit Court	Office Supplies	OFFICE DEPOT	15.45
100-4021600-6001	Clerk of Circuit Court	Office Supplies	OFFICE DEPOT	24.43
100-4021600-6001	Clerk of Circuit Court	Office Supplies	OFFICE DEPOT	161.99
100-4021600-6001	Clerk of Circuit Court	Office Supplies	OFFICE DEPOT	75.98
100-4021600-6001	Clerk of Circuit Court	Office Supplies	OFFICE DEPOT	33.82
100-4021600-6012	Clerk of Circuit Court	Books & Subscriptions	MOUNTAIN VIEW LEASING, IN	241.38
100-4021600-6012	Clerk of Circuit Court	Books & Subscriptions	VISA	564.00
			Account 4021600 Total:	4,958.71
100-4022100-2300	Commonwealth's Attorney	Hospital/Medical Plan	CORVESTA SERVICES, INC	142.32
100-4022100-3320	Commonwealth's Attorney	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	209.88
100-4022100-5130	Commonwealth's Attorney	Water and Sewer	WESTERN VIRGINIA WATER AU	46.89
100-4022100-5420	Commonwealth's Attorney	Lease/Rent of Buildings	BANK OF FINCASTLE	1,832.00
100-4022100-5530	Commonwealth's Attorney	Subsistence & Lodging	VISA	98.17
100-4022100-6001	Commonwealth's Attorney	Office Supplies	VIRGINIA OFFICE SUPP	14.28
100-4022100-6001	Commonwealth's Attorney	Office Supplies	VIRGINIA OFFICE SUPP	41.55
100-4022100-8007	Commonwealth's Attorney	Cap Otly - EDP Equipmt	VERIZON WIRELESS	80.02

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
			Account 4022100 Total:	2,465.11
100-4031200-2300	Sheriff	Hospital/Medical Plan	CORVESTA SERVICES, INC	1,138.56
100-4031200-2500	Sheriff	Disability Insurance	VACO INSURANCE PROGRAMS	13.21
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	PROFESSIONAL COMMUNICATIO	13.23
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	SPRINKEL'S TOWING, LLC	150.00
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	INSTRUMENT CALIBRATION &	50.50
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	AUTOMOTIVE WIRING AND INS	1,200.00
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	AUTOMOTIVE WIRING AND INS	1,400.00
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	BERGLUND	1,760.47
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	PETTY CASH, RONALD N SPRI	104.97
100-4031200-3311	Sheriff	Repairs & Maint - Equipment	EAST COAST EMERGENCY	91.60
100-4031200-3320	Sheriff	Maint Service Contracts	US BANCORP EQUIPMENT FINA	139.81
100-4031200-3320	Sheriff	Maint Service Contracts	CANON SOLUTIONS AMERICA,	53.24
100-4031200-3320	Sheriff	Maint Service Contracts	OXYGEN FORENSICS, INC	999.00
100-4031200-5540	Sheriff	Convention & Education	NRV K9 TRAINING	375.00
100-4031200-5540	Sheriff	Convention & Education	NRV K9 TRAINING	375.00
100-4031200-5540	Sheriff	Convention & Education	FBI-LEEDA	650.00
100-4031200-5810	Sheriff	Dues & Assoc Memberships	VIRGINIA POLICE WORK DOG	20.00
100-4031200-5810	Sheriff	Dues & Assoc Memberships	VIRGINIA POLICE WORK DOG	20.00
100-4031200-5810	Sheriff	Dues & Assoc Memberships	INTERNATIONAL ASSOCIATION	50.00
100-4031200-5810	Sheriff	Dues & Assoc Memberships	FBI NATIONAL ACADEMY ASSO	90.00
100-4031200-5810	Sheriff	Dues & Assoc Memberships	INTERNATIONAL ASSOCIATION	150.00
100-4031200-5830	Sheriff	RAID Patrol	CANON SOLUTIONS AMERICA,	26.62
100-4031200-5870	Sheriff	Emergency Response	DOLLAR GENERAL	17.70
100-4031200-6001	Sheriff	Office Supplies	VISA	548.68
100-4031200-6001	Sheriff	Office Supplies	WALMART COMMUNITY BRC	92.40
100-4031200-6001	Sheriff	Office Supplies	SUPPLY ROOM COMPANIE	89.58
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	GALL'S LLC	402.75
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	GALL'S LLC	552.25
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	MAGIC CITY MOTOR	109.34
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	AUTO PLUS	106.12
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	AUTO PLUS	53.06
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	AUTO PLUS	201.34
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	AUTO PLUS	214.08
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	GCR TIRE & SERVICE	465.76
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	GCR TIRE & SERVICE	420.20
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	GCR TIRE & SERVICE	486.48
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	THOMPSON TIRE	1,485.00
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	THOMPSON TIRE	542.52
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	THOMPSON TIRE	396.00
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	74.16
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	98.54
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	24.49
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	HYLAND AUTO PARTS	119.00
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	ZIMRI HOLDINGS, LLC	28.11
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	SHEEHY AUTO STORES	2,600.51
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	4.19
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	PETTY CASH, RONALD N SPRI	145.38
100-4031200-6010	Sheriff	Police Supplies	VISA	1,149.13
100-4031200-6010	Sheriff	Police Supplies	COMMONWEALTH INDUSTRIAL S	2,487.84

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4031200-6010	Sheriff	Police Supplies	H C BAKER SALES CO	205.53
100-4031200-6010	Sheriff	Police Supplies	FIRE EQUIPMENT COMPANY	323.00
100-4031200-6010	Sheriff	Police Supplies	PROFESSIONAL COMMUNICATIO	3,107.28
100-4031200-6010	Sheriff	Police Supplies	PROFESSIONAL COMMUNICATIO	351.00
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	248.00
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	73.98
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	145.47
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	720.00
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BLUE RIDGE SPORTSWEAR	58.00
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	89.98
100-4031200-6011	Sheriff	Uniforms & Wearing Apparel	BKT UNIFORMS	96.00
100-4031200-6012	Sheriff	Books & Subscriptions	MATTHEW BENDER & CO	96.08
100-4031200-6014	Sheriff	Other Operating Supplies	VISA	11.48
100-4031200-6014	Sheriff	Other Operating Supplies	COX COMMUNICATIONS INC.	50.00
100-4031200-6014	Sheriff	Other Operating Supplies	EQUIFAX CREDIT INFORMATIO	101.63
100-4031200-6014	Sheriff	Other Operating Supplies	LEXISNEXIS	51.50
100-4031200-6014	Sheriff	Other Operating Supplies	DOLLAR GENERAL	21.10
100-4031200-6014	Sheriff	Other Operating Supplies	CAHOON'S FLORIST	83.98
100-4031200-6014	Sheriff	Other Operating Supplies	B & D LOCK	48.70
100-4031200-6014	Sheriff	Other Operating Supplies	PETTY CASH, RONALD N SPRI	42.08
100-4031200-6015	Sheriff	Firing Range Expenses	TIDY SERVICES	60.00
100-4031200-6015	Sheriff	Firing Range Expenses	PETTY CASH, RONALD N SPRI	42.08
Account 4031200 Total:				27,812.69
100-4031700-2300	Dispatch	Hospital/Medical Plan	CORVESTA SERVICES, INC	260.92
100-4031700-2500	Dispatch	Disability Insurance	VACO INSURANCE PROGRAMS	56.39
100-4031700-3311	Dispatch	Repairs & Maint - Equipment	CARTER MACHINERY	472.47
100-4031700-3320	Dispatch	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	138.55
100-4031700-6001	Dispatch	Office Supplies	SUPPLY ROOM COMPANIE	143.96
Account 4031700 Total:				1,072.29
100-4032200-3180	Volunteer Fire & Rescue	Instruction/Training	JONES & BARTLETT LEARNING	760.00
100-4032200-3180	Volunteer Fire & Rescue	Instruction/Training	CHANNING L BETE CO	784.15
100-4032200-3180	Volunteer Fire & Rescue	Instruction/Training	LEWIS GALE COMMUNITY TRAI	24.00
100-4032200-3180	Volunteer Fire & Rescue	Instruction/Training	JEFFERSON COLLEGE OF HEAL	1,800.00
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	IMAGE TREND	3,137.50
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	STRYKER MEDICAL	335.84
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	SURE-FLO	52.70
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	19.68
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	20.60
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	12.80
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	25.49
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	66.47
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	AIRGAS MID AMERICA	30.69
100-4032200-3320	Volunteer Fire & Rescue	Maint Service Contracts	JACKSON, LEATA	440.00
100-4032200-5302	Volunteer Fire & Rescue	Fire Insurance	SAFETY & COMPLIANCE SERVI	1,860.75
100-4032200-5302	Volunteer Fire & Rescue	Fire Insurance	SAFETY & COMPLIANCE SERVI	1,389.50
100-4032200-5302	Volunteer Fire & Rescue	Fire Insurance	SAFETY & COMPLIANCE SERVI	1,434.25
100-4032200-5302	Volunteer Fire & Rescue	Fire Insurance	SAFETY & COMPLIANCE SERVI	2,260.00
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	MUNICIPAL EMERGENCY SERVI	973.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	MUNICIPAL EMERGENCY SERVI	126.00
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	SURE-FLO	495.00
100-4032200-5649	Volunteer Fire & Rescue	Read Mountain VFD	MOUNTAIN SPRINGS	29.85
100-4032200-5649	Volunteer Fire & Rescue	Read Mountain VFD	MOUNTAIN SPRINGS	78.00
100-4032200-6004	Volunteer Fire & Rescue	Medical & Laboratory Supplies	BOUND TREE MEDICAL	606.00
100-4032200-6004	Volunteer Fire & Rescue	Medical & Laboratory Supplies	BOUND TREE MEDICAL	104.01
100-4032200-6004	Volunteer Fire & Rescue	Medical & Laboratory Supplies	BOUND TREE MEDICAL	730.24
100-4032200-6004	Volunteer Fire & Rescue	Medical & Laboratory Supplies	BOUND TREE MEDICAL	33.45
100-4032200-6011	Volunteer Fire & Rescue	Uniforms & Wearing Apparel	MUNICIPAL EMERGENCY SERVI	127.72
100-4032200-6011	Volunteer Fire & Rescue	Uniforms & Wearing Apparel	MUNICIPAL EMERGENCY SERVI	3,880.91
100-4032200-6011	Volunteer Fire & Rescue	Uniforms & Wearing Apparel	BLUE RIDGE RESCUE SUPPLIE	800.00
100-4032200-6011	Volunteer Fire & Rescue	Uniforms & Wearing Apparel	WITMER ASSOCIATES	386.99
Account 4032200 Total:				22,825.59
100-4033100-2300	Correction and Detention	Hospital/Medical Plan	CORVESTA SERVICES, INC	1,163.90
100-4033100-2500	Correction and Detention	Disability Insurance	VACO INSURANCE PROGRAMS	12.25
100-4033100-3100	Correction and Detention	Professional Services	CENTER FOR EMOTIONAL WELL	3,561.25
100-4033100-3100	Correction and Detention	Professional Services	SOLSTAS LAB PARTNERS	158.10
100-4033100-3100	Correction and Detention	Professional Services	CARILION ROANOKE MEMORIAL	1,874.00
100-4033100-3100	Correction and Detention	Professional Services	LUCAS, BRENDA K	390.00
100-4033100-3100	Correction and Detention	Professional Services	VISTAR EYE CENTER	110.00
100-4033100-3100	Correction and Detention	Professional Services	CARILION SERVICES INC	144.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	CARTER MACHINERY	272.86
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	WAGNER FOOD EQUIPMENT	214.50
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	WAGNER FOOD EQUIPMENT	1,370.44
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	ROTO-ROOTER	285.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	183.46
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	HUDSON-PAYNE ELECTRONICS	335.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	WAGNER FOOD EQUIPMENT	472.20
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	SOUTHERN AIR	985.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	LEONARD'S COPY SYSTEMS	129.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	ROCKINGHAM COOPERATIVE	1,179.44
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	HALL SEPTIC TANK CLEANING	180.00
100-4033100-3311	Correction and Detention	Repairs & Maint - Equipment	TIME & PARKING CONTROLS,	686.61
100-4033100-3320	Correction and Detention	Maint Service Contracts	CANON SOLUTIONS AMERICA,	47.92
100-4033100-3320	Correction and Detention	Maint Service Contracts	FIRE & LIFE SAFETY AMERIC	1,900.00
100-4033100-3320	Correction and Detention	Maint Service Contracts	BOTETOURT PEST CONTROL	168.00
100-4033100-3320	Correction and Detention	Maint Service Contracts	WATER CHEMISTRY	145.00
100-4033100-3320	Correction and Detention	Maint Service Contracts	CANON SOLUTIONS AMERICA,	51.70
100-4033100-3320	Correction and Detention	Maint Service Contracts	CANON SOLUTIONS AMERICA,	21.75
100-4033100-3320	Correction and Detention	Maint Service Contracts	ESITECH	2,590.00
100-4033100-5130	Correction and Detention	Water and Sewer	WESTERN VIRGINIA WATER AU	6,541.83
100-4033100-6001	Correction and Detention	Office Supplies	SUPPLY ROOM COMPANIE	464.85
100-4033100-6001	Correction and Detention	Office Supplies	LEONARD'S COPY SYSTEMS	89.00
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	153.75
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	207.05
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	153.75
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DOLLAR GENERAL	22.50
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	100.56
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	115.92
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	126.12

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	149.40
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	522.90
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	521.50
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	471.10
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	521.50
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	527.80
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	106.50
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	153.75
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	4,203.86
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	4,499.83
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	3,263.42
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	4,480.41
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DIAMOND PAPER CO	12.99
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	521.50
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	3,860.48
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	146.07
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	DEPARTMENT OF CORRECTIONS	153.75
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	US FOOD SERVICE	35.99
100-4033100-6002	Correction and Detention	Food Supplies & Fd Serv Supplies	FLOWERS BAKING CO	150.48
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	VISA	72.70
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	WALMART COMMUNITY BRC	48.79
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	DOLLAR GENERAL	103.15
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	DOWNHOME PHARMACY	167.86
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	MOORE MEDICAL CORP	373.20
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	MOBILE MEDICAL DIAGNOSTIC	280.00
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	ADVANCED HOME CARE	13.00
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	ADVANCED HOME CARE	150.00
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	WESTWOOD PHARMACY CLINICA	4,967.41
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	LABCORP	869.00
100-4033100-6004	Correction and Detention	Medical & Laboratory Supplies	DIAMOND PAPER CO	276.76
100-4033100-6005	Correction and Detention	Laundry, Hskpg, Janitor Supplies	BRAME SPECIALTY COMPANY	1,031.26
100-4033100-6005	Correction and Detention	Laundry, Hskpg, Janitor Supplies	BRAME SPECIALTY COMPANY	102.00
100-4033100-6005	Correction and Detention	Laundry, Hskpg, Janitor Supplies	BRAME SPECIALTY COMPANY	118.50
100-4033100-6005	Correction and Detention	Laundry, Hskpg, Janitor Supplies	BRAME SPECIALTY COMPANY	568.44
100-4033100-6010	Correction and Detention	Police Supplies	PROFESSIONAL COMMUNICATIO	22,730.40
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	141.50
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	120.00
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	41.49
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	52.99
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	143.96
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	BKT UNIFORMS	96.00
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	GUNTER, CAROL	10.00
100-4033100-6011	Correction and Detention	Uniforms & Wearing Apparel	GUNTER, CAROL	12.00
100-4033100-6014	Correction and Detention	Other Operating Supplies	POSTMASTER	114.00
100-4033100-8007	Correction and Detention	Cap Otly - EDP Equipmt	SLAIT CONSULTING	25,000.00

Account 4033100 Total:				108,514.35
100-4033200-3800	Juvenile Detention Center	Prch of Serv frm Othr Gov Entities	ROANOKE VALLEY JUVENILE D	6,300.00

Account 4033200 Total:				6,300.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4033300-6001	Probation Office	Office Supplies	MOUNTAIN SPRINGS	38.85
100-4033300-6001	Probation Office	Office Supplies	MOUNTAIN SPRINGS	6.50
Account 4033300 Total:				45.35
100-4034000-2300	Dept of Community Development	Hospital/Medical Plan	CORVESTA SERVICES, INC	213.48
100-4034000-2500	Dept of Community Development	Disability Insurance	VACO INSURANCE PROGRAMS	64.86
100-4034000-3312	Dept of Community Development	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	2.57
100-4034000-3320	Dept of Community Development	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	320.32
100-4034000-3600	Dept of Community Development	Advertising	ROANOKE TIMES	1,772.48
100-4034000-3600	Dept of Community Development	Advertising	MONTGOMERY PUBLISHING, LL	1,800.00
100-4034000-5230	Dept of Community Development	Telecommunications	VERIZON WIRELESS	110.36
100-4034000-5530	Dept of Community Development	Subsistence & Lodging	DOLLAR GENERAL	38.75
100-4034000-5540	Dept of Community Development	Convention & Education	SCOTT, JEFFERY	116.00
100-4034000-6001	Dept of Community Development	Office Supplies	VIRGINIA OFFICE SUPP	13.07
100-4034000-6001	Dept of Community Development	Office Supplies	VIRGINIA OFFICE SUPP	44.49
100-4034000-6001	Dept of Community Development	Office Supplies	MOUNTAIN SPRINGS	25.90
100-4034000-6001	Dept of Community Development	Office Supplies	OFFICE DEPOT	41.22
100-4034000-6001	Dept of Community Development	Office Supplies	MOUNTAIN SPRINGS	17.33
100-4034000-6001	Dept of Community Development	Office Supplies	VISA	26.31
100-4034000-6001	Dept of Community Development	Office Supplies	OFFICEMAX CONTRACT	15.22
100-4034000-6001	Dept of Community Development	Office Supplies	VIRGINIA OFFICE SUPP	47.37
100-4034000-6001	Dept of Community Development	Office Supplies	VIRGINIA CORRECTIONAL ENT	109.15
100-4034000-6011	Dept of Community Development	Uniforms & Wearing Apparel	BLUE RIDGE MARKETING	93.61
100-4034000-8007	Dept of Community Development	Cap Otly - EDP Equipmt	STURGIS WEB SERVICES	450.00
Account 4034000 Total:				5,322.49
100-4035100-2300	Animal Control	Hospital/Medical Plan	CORVESTA SERVICES, INC	71.16
100-4035100-3100	Animal Control	Professional Services	COUNTY OF ROANOKE	14,634.67
100-4035100-6004	Animal Control	Medical & Laboratory Supplies	EMERGENCY VETERINARY SERV	58.60
100-4035100-6004	Animal Control	Medical & Laboratory Supplies	EMERGENCY VETERINARY SERV	44.56
100-4035100-6009	Animal Control	Vehicle & Pwr Equip Supplies	ZIMRI HOLDINGS, LLC	2.94
100-4035100-8001	Animal Control	Cap Otly - Mach & Equip	ANCHOR	2,941.00
100-4035100-8005	Animal Control	Cap Otly - Mtr Veh/Equip	I H MCBRIDE SIGN CO	975.00
Account 4035100 Total:				18,727.93
100-4035500-2300	Fire & EMS	Hospital/Medical Plan	CORVESTA SERVICES, INC	759.04
100-4035500-3100	Fire & EMS	Professional Services	SAFETY & COMPLIANCE SERVI	76.00
100-4035500-3160	Fire & EMS	Pymt for Collection Ser	EMS MANAGEMENT & CONSULTA	2,291.99
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	32.68
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	FIRST DUE GEAR	208.00
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	VISA	28.32
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	VISA	-217.00
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	VISA	177.96
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	NORTHERN TOOL & EQUIPMENT	42.96
100-4035500-3311	Fire & EMS	Repairs & Maint - Equipment	AMAZON.COM CREDIT	94.99
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	FIRST CALL	225.86
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	FIRST CALL	47.88
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	FIRST CALL	39.94
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	RAPIDSIGN, INC	45.05

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	3.50
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	50.72
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	112.25
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	14.38
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	SPRINKEL'S TOWING, LLC	173.33
100-4035500-3312	Fire & EMS	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	0.90
100-4035500-3320	Fire & EMS	Maint Service Contracts	MOUNTAIN SPRINGS	13.00
100-4035500-3320	Fire & EMS	Maint Service Contracts	ETHOS TECHNOLOGIES	87.26
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	51.11
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	531.70
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	105.24
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	60.94
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	250.00
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	88.01
100-4035500-3800	Fire & EMS	Prch of Serv frm Othr Gov Entities	ROANOKE COUNTY FIRE AND R	325.00
100-4035500-5230	Fire & EMS	Telecommunications	VERIZON WIRELESS	40.01
100-4035500-5230	Fire & EMS	Telecommunications	VERIZON WIRELESS	389.75
100-4035500-5530	Fire & EMS	Subsistence & Lodging	VISA	204.76
100-4035500-5540	Fire & EMS	Convention & Education	PENNWELL/FDIC15	1,090.00
100-4035500-5540	Fire & EMS	Convention & Education	VISA	975.00
100-4035500-5540	Fire & EMS	Convention & Education	VISA	325.00
100-4035500-5999	Fire & EMS	Refunds	LAWRENCE TRANSPORTATION	879.10
100-4035500-5999	Fire & EMS	Refunds	ANTHEM BCBS VA RECOVERY	135.19
100-4035500-5999	Fire & EMS	Refunds	PROGRESSIVE INSURANCE	303.65
100-4035500-5999	Fire & EMS	Refunds	ANTHEM BCBS VA RECOVERY	92.85
100-4035500-5999	Fire & EMS	Refunds	ALFORD, CHARLES	109.89
100-4035500-5999	Fire & EMS	Refunds	ANDREW, SANDRA	573.32
100-4035500-6001	Fire & EMS	Office Supplies	WALMART COMMUNITY BRC	2.64
100-4035500-6001	Fire & EMS	Office Supplies	SUPPLY ROOM COMPANIE	11.31
100-4035500-6008	Fire & EMS	Vehicle & Pwr Equip Fuels	VISA	-4.73
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	SYMBOLARTS	475.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	SYMBOLARTS	300.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	SYMBOLARTS	615.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	FIRST DUE GEAR	168.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	FIRST DUE GEAR	232.50
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	BKT UNIFORMS	66.97
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	CHALAINE	85.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	BLUE RIDGE SIGN & STAMP	35.55
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	SAM'S ON THE MARKET	10.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	BLUE RIDGE SIGN & STAMP	23.09
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	BKT UNIFORMS	220.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	VISA	260.00
100-4035500-6011	Fire & EMS	Uniforms & Wearing Apparel	VISA	123.16
100-4035500-6012	Fire & EMS	Books & Subscriptions	VISA	34.00
100-4035500-6014	Fire & EMS	Other Operating Supplies	LOWE'S HOME CENTERS	34.18
100-4035500-6014	Fire & EMS	Other Operating Supplies	LOWE'S HOME CENTERS	6.63
100-4035500-6014	Fire & EMS	Other Operating Supplies	MURRAY, DANIEL	242.92
100-4035500-6014	Fire & EMS	Other Operating Supplies	AMAZON.COM CREDIT	26.65

Account 4035500 Total:				13,807.40
100-4035600-3311	Emergency Communications	Repairs & Maint - Equipment	PROFESSIONAL COMMUNICATIO	135.60

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4035600-3320	Emergency Communications	Maint Service Contracts	PROFESSIONAL COMMUNICATIO	5,833.50
100-4035600-5410	Emergency Communications	Lease/Rent of Equipment	BOTETOURT LAND HOLDING II	2,733.81
100-4035600-5410	Emergency Communications	Lease/Rent of Equipment	BOTETOURT LAND HOLDING II	1,398.22
100-4035600-5410	Emergency Communications	Lease/Rent of Equipment	TOWN OF FINCASTLE	1,451.88
100-4035600-5420	Emergency Communications	Lease/Rent of Buildings	BOTETOURT LAND HOLDING II	216.00
100-4035600-5420	Emergency Communications	Lease/Rent of Buildings	BRANDEMUEHL, JOHN W	10,503.00
Account 4035600 Total:				22,272.01
100-4040000-2300	General Services	Hospital/Medical Plan	CORVESTA SERVICES, INC	71.16
100-4040000-2500	General Services	Disability Insurance	VACO INSURANCE PROGRAMS	16.23
100-4040000-3312	General Services	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	1.11
100-4040000-3320	General Services	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	116.09
100-4040000-3320	General Services	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	281.41
100-4040000-3320	General Services	Maint Service Contracts	SOUTHERN GRAPHICS & SUPPL	210.00
100-4040000-3320	General Services	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	230.95
100-4040000-5230	General Services	Telecommunications	VERIZON WIRELESS	110.78
100-4040000-6001	General Services	Office Supplies	VIRGINIA OFFICE SUPP	21.96
100-4040000-6001	General Services	Office Supplies	MOUNTAIN SPRINGS	13.00
100-4040000-8012	General Services	Cap Otly - Othr Capital	KORMAN SIGNS	2,077.96
Account 4040000 Total:				3,150.65
100-4042400-2300	Waste Management	Hospital/Medical Plan	CORVESTA SERVICES, INC	94.88
100-4042400-3100	Waste Management	Professional Services	REIC LABS	279.02
100-4042400-3191	Waste Management	Refuse Disposal	CITY OF SALEM	6,316.33
100-4042400-3192	Waste Management	Recycling	RDS-VIRGINIA	237.40
100-4042400-3192	Waste Management	Recycling	SPIRIT SERVICES, INC	50.00
100-4042400-3192	Waste Management	Recycling	RDS-VIRGINIA	250.28
100-4042400-3192	Waste Management	Recycling	ADVANCED DISPOSAL	21,621.89
100-4042400-3311	Waste Management	Repairs & Maint - Equipment	GCR TIRE & SERVICE	245.00
100-4042400-3311	Waste Management	Repairs & Maint - Equipment	GCR TIRE & SERVICE	245.00
100-4042400-3311	Waste Management	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	11.94
100-4042400-3311	Waste Management	Repairs & Maint - Equipment	GRAINGER	27.26
100-4042400-3312	Waste Management	Repairs & Maint - Vehicles	GCR TIRE & SERVICE	464.76
100-4042400-3312	Waste Management	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	22.18
100-4042400-3312	Waste Management	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	0.73
100-4042400-3312	Waste Management	Repairs & Maint - Vehicles	ADVANCE AUTO PARTS	125.11
100-4042400-3320	Waste Management	Maint Service Contracts	FIRE EQUIPMENT COMPANY	45.00
100-4042400-3320	Waste Management	Maint Service Contracts	C & M MAINTENANCE SERVICE	555.00
100-4042400-3320	Waste Management	Maint Service Contracts	BEST CLEANING ENTERPRISE	175.00
100-4042400-3320	Waste Management	Maint Service Contracts	LEONARD'S COPY SYSTEMS	165.00
100-4042400-3320	Waste Management	Maint Service Contracts	CAROLINA SOFTWARE	400.00
100-4042400-3320	Waste Management	Maint Service Contracts	STATE SECURITY	275.40
100-4042400-3320	Waste Management	Maint Service Contracts	BOTETOURT PEST CONTROL	90.00
100-4042400-3320	Waste Management	Maint Service Contracts	BEST CLEANING ENTERPRISE	175.00
100-4042400-3600	Waste Management	Advertising	MONTGOMERY PUBLISHING, LL	64.75
100-4042400-6001	Waste Management	Office Supplies	MOUNTAIN SPRINGS	19.50
100-4042400-6001	Waste Management	Office Supplies	OFFICE DEPOT	17.49
100-4042400-6001	Waste Management	Office Supplies	MOUNTAIN SPRINGS	13.00
100-4042400-6008	Waste Management	Vehicle & Pwr Equip Fuels	ROCKINGHAM COOPERATIVE	169.90
100-4042400-6008	Waste Management	Vehicle & Pwr Equip Fuels	ROCKINGHAM COOPERATIVE	851.50

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4042400-6008	Waste Management	Vehicle & Pwr Equip Fuels	ROCKINGHAM COOPERATIVE	744.20
100-4042400-6009	Waste Management	Vehicle & Pwr Equip Supplies	GRAINGER	121.28
100-4042400-6009	Waste Management	Vehicle & Pwr Equip Supplies	GRAINGER	40.20
100-4042400-6014	Waste Management	Other Operating Supplies	LOWE'S HOME CENTERS	18.12
100-4042400-6014	Waste Management	Other Operating Supplies	VISA	11.78
100-4042400-8012	Waste Management	Cap Otly - Othr Capital	BOXLEY AGGREGATES	166.58
Account 4042400 Total:				34,110.48
100-4043000-2300	Maint of Gen Bldg & Grounds	Hospital/Medical Plan	CORVESTA SERVICES, INC	166.04
100-4043000-3191	Maint of Gen Bldg & Grounds	Refuse Disposal	ADVANCED DISPOSAL	467.50
100-4043000-3191	Maint of Gen Bldg & Grounds	Refuse Disposal	ADVANCED DISPOSAL	192.50
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	MECHANICAL MAINTENAN	1,215.46
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	SOUTHERN AIR	1,461.20
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	SOUTHERN AIR	522.50
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	SOUTHERN AIR	120.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	SOUTHERN AIR	530.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	DUNBAR, ROGER	460.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	MECHANICAL MAINTENAN	142.91
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	WILLIAMS CARPET CLEANING	599.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	MAGIC CITY SPRINKLER	1,900.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	SOUTHERN AIR	590.00
100-4043000-3311	Maint of Gen Bldg & Grounds	Repairs & Maint - Equipment	TRANE COMPANY	2,076.00
100-4043000-3312	Maint of Gen Bldg & Grounds	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	1.47
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	BOTETOURT PEST CONTROL	90.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	SCRUBZ PROCLEANING	472.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	BOTETOURT PEST CONTROL	126.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	FSI MID STATE DIV, INC	463.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	FSI MID STATE DIV, INC	140.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	FSI MID STATE DIV, INC	376.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	OTIS ELEVATOR COMPANY	2,292.36
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	FSI MID STATE DIV, INC	600.00
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	STATE SECURITY	275.40
100-4043000-3320	Maint of Gen Bldg & Grounds	Maint Service Contracts	BEST CLEANING ENTERPRISE	1,000.00
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	SUBURBAN PROPANE	661.37
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	VISA	72.00
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	48.29
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	51.10
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	283.13
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	49.48
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	98.25
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	236.71
100-4043000-5230	Maint of Gen Bldg & Grounds	Telecommunications	VERIZON WIRELESS	49.81
100-4043000-6003	Maint of Gen Bldg & Grounds	Agricultural Supplies	ROCKINGHAM COOPERATIVE	789.85
100-4043000-6005	Maint of Gen Bldg & Grounds	Laundry, Hskpg, Janitor Supplies	DIAMOND PAPER CO	949.28
100-4043000-6005	Maint of Gen Bldg & Grounds	Laundry, Hskpg, Janitor Supplies	DIAMOND PAPER CO	255.55
100-4043000-6005	Maint of Gen Bldg & Grounds	Laundry, Hskpg, Janitor Supplies	ALSCO	213.52
100-4043000-6005	Maint of Gen Bldg & Grounds	Laundry, Hskpg, Janitor Supplies	DIAMOND PAPER CO	139.76
100-4043000-6005	Maint of Gen Bldg & Grounds	Laundry, Hskpg, Janitor Supplies	DIAMOND PAPER CO	358.24
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	B & D LOCK	48.35
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	CMC SUPPLY	24.70
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	LOWE'S HOME CENTERS	164.29

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	LOWE'S HOME CENTERS	49.16
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	LOWE'S HOME CENTERS	76.76
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	LOWE'S HOME CENTERS	47.42
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	LOWE'S HOME CENTERS	106.44
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	VISA	18.00
100-4043000-6007	Maint of Gen Bldg & Grounds	Repair & Maint Supplies	ROANOKE ELECTRIC ZUPPLY	77.00
100-4043000-6011	Maint of Gen Bldg & Grounds	Uniforms & Wearing Apparel	SUPER SHOE STORES	148.90
100-4043000-6011	Maint of Gen Bldg & Grounds	Uniforms & Wearing Apparel	MARSH, DOUGLAS	205.34
100-4043000-6014	Maint of Gen Bldg & Grounds	Other Operating Supplies	VISA	125.97
100-4043000-8001	Maint of Gen Bldg & Grounds	Cap Otlly - Mach & Equip	SUNBELT RENTALS	158.85
Account 4043000 Total:				21,786.86
100-4053500-2300	Children's Services (CSA)	Hospital/Medical Plan	CORVESTA SERVICES, INC	23.72
100-4053500-2500	Children's Services (CSA)	Disability Insurance	VACO INSURANCE PROGRAMS	15.49
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	2,405.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	2,405.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	2,405.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	2,405.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	4,290.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	1,700.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTRA HEALTH	3,325.00
100-4053500-3100	Children's Services (CSA)	Professional Services	CENTER FOR PEDIATRIC THER	160.00
100-4053500-3100	Children's Services (CSA)	Professional Services	RICKMAN, RYAN	644.00
100-4053500-3100	Children's Services (CSA)	Professional Services	BLUE RIDGE AUTISM & ACHIE	26,390.00
100-4053500-3100	Children's Services (CSA)	Professional Services	BLUE RIDGE BEHAVIORAL HEA	1,000.00
100-4053500-3100	Children's Services (CSA)	Professional Services	BLUE RIDGE BEHAVIORAL HEA	500.00
100-4053500-3100	Children's Services (CSA)	Professional Services	BLUE RIDGE BEHAVIORAL HEA	326.50
100-4053500-3100	Children's Services (CSA)	Professional Services	DISCOVERY SCHOOL OF VIRGI	5,580.00
100-4053500-3100	Children's Services (CSA)	Professional Services	FAMILY INSIGHT, PC	1,680.00
100-4053500-3100	Children's Services (CSA)	Professional Services	FISHER, MAURICE	90.00
100-4053500-3100	Children's Services (CSA)	Professional Services	GIFT OF HOPE	5,088.93
100-4053500-3100	Children's Services (CSA)	Professional Services	HOPE TREE FAMILY SERVICES	5,362.00
100-4053500-3100	Children's Services (CSA)	Professional Services	LUTHERAN FAMILY SERVICES	3,780.00
100-4053500-3100	Children's Services (CSA)	Professional Services	LUTHERAN FAMILY SERVICES	2,520.00
100-4053500-3100	Children's Services (CSA)	Professional Services	LUTHERAN FAMILY SERVICES	4,340.00
100-4053500-3100	Children's Services (CSA)	Professional Services	LUTHERAN FAMILY SERVICES	2,520.00
100-4053500-3100	Children's Services (CSA)	Professional Services	PROFESSIONAL THERAPIES	3,343.75
100-4053500-3100	Children's Services (CSA)	Professional Services	YOUTH ADVOCATE PROGRAMS	2,208.00
100-4053500-3100	Children's Services (CSA)	Professional Services	UNITED METHODIST FAMILY S	2,744.00
100-4053500-3100	Children's Services (CSA)	Professional Services	DISCOVERY SCHOOL OF VIRGI	5,580.00
100-4053500-3100	Children's Services (CSA)	Professional Services	UNITED METHODIST FAMILY S	3,388.00
100-4053500-3100	Children's Services (CSA)	Professional Services	INTERCEPT YOUTH SERVICES	1,470.00
100-4053500-3100	Children's Services (CSA)	Professional Services	INTERCEPT YOUTH SERVICES	1,980.00
100-4053500-3100	Children's Services (CSA)	Professional Services	INTERCEPT YOUTH SERVICES	1,265.00
100-4053500-3100	Children's Services (CSA)	Professional Services	INTERCEPT YOUTH SERVICES	1,243.00
100-4053500-3100	Children's Services (CSA)	Professional Services	HALL COMMUNITY SERVICES	840.00
100-4053500-6001	Children's Services (CSA)	Office Supplies	OFFICE DEPOT	31.99
Account 4053500 Total:				103,049.38
100-4068000-3800	Community Colleges	Prch of Serv frm Othr Gov Entities	VIRGINIA WESTERN COMMUNIT	2,970.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
			Account 4068000 Total:	2,970.00
100-4071000-2300	Parks & Recreation	Hospital/Medical Plan	CORVESTA SERVICES, INC	166.04
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	45.00
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	45.00
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	120.00
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	15.00
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	135.00
100-4071000-3181	Parks & Recreation	Coaches Certification	SOUTHEASTERN SECURITY CON	75.00
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	66.44
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	COVERALL GROUNDS MAINTANE	267.12
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	COVERALL GROUNDS MAINTANE	207.86
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	15.64
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	78.90
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	23.96
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	OUTDOOR POWER EQUIPMENT	43.95
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	51.24
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	BLUERIDGE FARM CENTER	1,208.72
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	29.99
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	8.62
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	TROUTVILLE SERVICE CENTER	249.80
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	109.63
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	8.27
100-4071000-3311	Parks & Recreation	Repairs & Maint - Equipment	ADVANCE AUTO PARTS	37.51
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	111.48
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	5.61
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LANDSCAPE STORE	350.00
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	85.22
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LANDSCAPE SUPPLY	1,325.00
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	TRIANGLE ELECTRIC	1,344.00
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LANDSCAPE STORE	245.00
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	B & D LOCK	48.75
100-4071000-3313	Parks & Recreation	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	13.25
100-4071000-3320	Parks & Recreation	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	205.39
100-4071000-3320	Parks & Recreation	Maint Service Contracts	BOTETOURT PEST CONTROL	125.00
100-4071000-3320	Parks & Recreation	Maint Service Contracts	THOMPSON LANDSCAPING	1,025.00
100-4071000-3320	Parks & Recreation	Maint Service Contracts	THOMPSON LANDSCAPING	320.00
100-4071000-3320	Parks & Recreation	Maint Service Contracts	VIRGINIA BUSINESS SYSTEMS	259.22
100-4071000-3320	Parks & Recreation	Maint Service Contracts	BEST CLEANING ENTERPRISE	2,515.00
100-4071000-3800	Parks & Recreation	Prch of Serv frm Othr Gov Entities	FMS INCORPORATED	24,662.50
100-4071000-5110	Parks & Recreation	Electrical Services	DOMINION VIRGINIA POWER	6.69
100-4071000-5110	Parks & Recreation	Electrical Services	DOMINION VIRGINIA POWER	46.51
100-4071000-5110	Parks & Recreation	Electrical Services	DOMINION VIRGINIA POWER	27.98
100-4071000-5120	Parks & Recreation	Heating Services	SUBURBAN PROPANE	190.34
100-4071000-5130	Parks & Recreation	Water and Sewer	MOUNTAIN SPRINGS	13.00
100-4071000-5130	Parks & Recreation	Water and Sewer	BLUE RIDGE WATER	24.00
100-4071000-5130	Parks & Recreation	Water and Sewer	WESTERN VIRGINIA WATER AU	144.00
100-4071000-5130	Parks & Recreation	Water and Sewer	AQUA VA	19.18
100-4071000-5230	Parks & Recreation	Telecommunications	VERIZON WIRELESS	50.07
100-4071000-5410	Parks & Recreation	Lease/Rent of Equipment	TIDY SERVICES	130.00
100-4071000-5410	Parks & Recreation	Lease/Rent of Equipment	TIDY SERVICES	65.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4071000-5410	Parks & Recreation	Lease/Rent of Equipment	TIDY SERVICES	130.00
100-4071000-5420	Parks & Recreation	Lease/Rent of Buildings	BRAVO PROPERTIES, LLC	1,500.00
100-4071000-5840	Parks & Recreation	Marketing	ROANOKE TIMES	857.40
100-4071000-5840	Parks & Recreation	Marketing	MONTGOMERY PUBLISHING, LL	40.00
100-4071000-6001	Parks & Recreation	Office Supplies	SUPPLY ROOM COMPANIE	371.88
100-4071000-6001	Parks & Recreation	Office Supplies	DOLLAR GENERAL	15.00
100-4071000-6002	Parks & Recreation	Food Supplies & Fd Serv Supplies	DOLLAR GENERAL	21.85
100-4071000-6005	Parks & Recreation	Laundry, Hskpg, Janitor Supplies	HAMCO	614.88
100-4071000-6005	Parks & Recreation	Laundry, Hskpg, Janitor Supplies	DOLLAR GENERAL	3.00
100-4071000-6005	Parks & Recreation	Laundry, Hskpg, Janitor Supplies	STATE INDUSTRIAL PRODUCTS	103.79
100-4071000-6009	Parks & Recreation	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	171.15
100-4071000-6009	Parks & Recreation	Vehicle & Pwr Equip Supplies	ADVANCE AUTO PARTS	128.99
100-4071000-6009	Parks & Recreation	Vehicle & Pwr Equip Supplies	BOTETOURT TRUCK & TRAILER	489.46
100-4071000-6011	Parks & Recreation	Uniforms & Wearing Apparel	CINTAS CORPORATION-#524	81.29
100-4071000-6011	Parks & Recreation	Uniforms & Wearing Apparel	CINTAS CORPORATION-#524	81.29
100-4071000-6011	Parks & Recreation	Uniforms & Wearing Apparel	CINTAS CORPORATION-#524	81.29
100-4071000-6011	Parks & Recreation	Uniforms & Wearing Apparel	CINTAS CORPORATION-#524	81.29
100-4071000-6011	Parks & Recreation	Uniforms & Wearing Apparel	CINTAS CORPORATION-#524	81.29
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	ADVANCE AUTO PARTS	3.47
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	MCCOY, GORDON	118.00
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	GOAD, PEGGY	115.46
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	LALUSH, DAVID M	120.00
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	SUPER SHOE STORES	89.99
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	SUPER SHOE STORES	116.98
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	DIGITAL IMAGE PRINTING	106.44
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	VISA	362.19
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	GRAINGER	11.45
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	GRAINGER	3.85
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	SUPER SHOE STORES	120.00
100-4071000-6013	Parks & Recreation	Educ & Rec Supplies	BSN SPORTS	277.50
Account 4071000 Total:				42,665.06
100-4071300-2300	Botetourt Sports Complex	Hospital/Medical Plan	CORVESTA SERVICES, INC	71.16
100-4071300-2500	Botetourt Sports Complex	Disability Insurance	VACO INSURANCE PROGRAMS	12.91
100-4071300-3311	Botetourt Sports Complex	Repairs & Maint - Equipment	LOWE'S HOME CENTERS	26.56
100-4071300-3311	Botetourt Sports Complex	Repairs & Maint - Equipment	BLUERIDGE FARM CENTER	256.62
100-4071300-3311	Botetourt Sports Complex	Repairs & Maint - Equipment	REVELS TRACTOR	155.00
100-4071300-3313	Botetourt Sports Complex	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	120.60
100-4071300-3313	Botetourt Sports Complex	Repair & Maint - Bldgs	LOWE'S HOME CENTERS	91.66
100-4071300-3313	Botetourt Sports Complex	Repair & Maint - Bldgs	FITZGERALD ELECTRIC	255.00
100-4071300-3313	Botetourt Sports Complex	Repair & Maint - Bldgs	BSN SPORTS	162.00
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-3320	Botetourt Sports Complex	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4071300-6002	Botetourt Sports Complex	Food Supplies & Fd Serv Supplies	SAM'S CLUB	198.34
100-4071300-6003	Botetourt Sports Complex	Agricultural Supplies	SUNBELT RENTALS	112.85
100-4071300-6003	Botetourt Sports Complex	Agricultural Supplies	LOWE'S HOME CENTERS	75.92

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4071300-6011	Botetourt Sports Complex	Uniforms & Wearing Apparel	LOWE'S HOME CENTERS	31.75
100-4071300-6011	Botetourt Sports Complex	Uniforms & Wearing Apparel	SUPER SHOE STORES	116.98
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	LOWE'S HOME CENTERS	338.60
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	BLUERIDGE FARM CENTER	5.41
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	LOWE'S HOME CENTERS	14.65
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	BOTETOIRT CO HEALTH	40.00
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	BOTETOIRT PEST CONTROL	110.00
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	TELVENT DTN INC	246.75
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	WFIR - AM	100.00
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	WFIR - AM	401.00
Account 4071300 Total:				3,409.68
100-4071500-3312	Van Program	Repairs & Maint - Vehicles	BOTETOIRT TRUCK & TRAILER	207.92
100-4071500-3312	Van Program	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	0.74
100-4071500-5230	Van Program	Telecommunications	VERIZON WIRELESS	15.88
100-4071500-8005	Van Program	Cap Otly - Mtr Veh/Eqp	RIDE-AWAY	36,000.00
Account 4071500 Total:				36,224.54
100-4073100-2300	Library	Hospital/Medical Plan	CORVESTA SERVICES, INC	284.64
100-4073100-2500	Library	Disability Insurance	VACO INSURANCE PROGRAMS	11.14
100-4073100-3100	Library	Professional Services	OCLC, INC	1,024.39
100-4073100-3312	Library	Repairs & Maint - Vehicles	ZIMRI HOLDINGS, LLC	1.47
100-4073100-3320	Library	Maint Service Contracts	CANON SOLUTIONS AMERICA,	66.56
100-4073100-3320	Library	Maint Service Contracts	BROWN EXTERMINATING	25.00
100-4073100-3320	Library	Maint Service Contracts	BROWN EXTERMINATING	25.00
100-4073100-3320	Library	Maint Service Contracts	BROWN EXTERMINATING	25.00
100-4073100-3320	Library	Maint Service Contracts	BRYANT'S CLEANING	800.00
100-4073100-3320	Library	Maint Service Contracts	RYDER CLEANING	40.00
100-4073100-3320	Library	Maint Service Contracts	RYDER CLEANING	40.00
100-4073100-3320	Library	Maint Service Contracts	CANON SOLUTIONS AMERICA,	26.10
100-4073100-3320	Library	Maint Service Contracts	DE LAGE LANDEN	212.69
100-4073100-3320	Library	Maint Service Contracts	LIBRARY OF VIRGINIA	439.47
100-4073100-3320	Library	Maint Service Contracts	SCRUBZ PROCLEANING	700.00
100-4073100-3800	Library	Prch of Serv frm Othr Gov Entities	COUNTY OF ROANOKE	69.39
100-4073100-3800	Library	Prch of Serv frm Othr Gov Entities	COUNTY OF ROANOKE	1,118.68
100-4073100-3800	Library	Prch of Serv frm Othr Gov Entities	CITY OF ROANOKE	57.40
100-4073100-5110	Library	Electrical Services	DOMINION VIRGINIA POWER	484.24
100-4073100-5110	Library	Electrical Services	DOMINION VIRGINIA POWER	946.80
100-4073100-5120	Library	Heating Services	ROANOKE GAS COMPANY	244.63
100-4073100-5120	Library	Heating Services	ROANOKE GAS COMPANY	315.76
100-4073100-5130	Library	Water and Sewer	MOUNTAIN SPRINGS	6.50
100-4073100-5130	Library	Water and Sewer	TOWN OF BUCHANAN	95.50
100-4073100-5130	Library	Water and Sewer	WESTERN VIRGINIA WATER AU	241.17
100-4073100-5130	Library	Water and Sewer	WESTERN VIRGINIA WATER AU	106.25
100-4073100-5230	Library	Telecommunications	COX COMMUNICATIONS INC.	363.46
100-4073100-5230	Library	Telecommunications	VERIZON WIRELESS	80.02
100-4073100-5230	Library	Telecommunications	VERIZON	637.72
100-4073100-5230	Library	Telecommunications	COMCAST	145.64
100-4073100-5840	Library	Marketing	BETTER CONTAINERS	147.22
100-4073100-6001	Library	Office Supplies	JAMES HOPP COMPANY	54.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4073100-6001	Library	Office Supplies	OFFICE DEPOT	206.29
100-4073100-6001	Library	Office Supplies	OFFICE DEPOT	79.48
100-4073100-6001	Library	Office Supplies	OFFICE DEPOT	93.59
100-4073100-6001	Library	Office Supplies	OFFICE DEPOT	10.16
100-4073100-6001	Library	Office Supplies	OFFICE DEPOT	10.16
100-4073100-6001	Library	Office Supplies	OFFICEMAX CONTRACT	115.82
100-4073100-6001	Library	Office Supplies	ROPHO SALES	6.89
100-4073100-6001	Library	Office Supplies	SUPPLY ROOM COMPANIE	61.98
100-4073100-6001	Library	Office Supplies	SUPPLY ROOM COMPANIE	14.80
100-4073100-6005	Library	Laundry, Hskpg, Janitor Supplies	DIAMOND PAPER CO	91.85
100-4073100-6005	Library	Laundry, Hskpg, Janitor Supplies	NEUTRON INDUSTRIES	130.62
100-4073100-6012	Library	Books & Subscriptions	ATLANTIC MONTHLY	29.95
100-4073100-6012	Library	Books & Subscriptions	BIRDS & BLOOMS	14.98
100-4073100-6012	Library	Books & Subscriptions	CYPRESS INFORMATION SERVI	300.00
100-4073100-6012	Library	Books & Subscriptions	HORN BOOK	60.00
100-4073100-6012	Library	Books & Subscriptions	CITY DIRECTORIES	315.00
100-4073100-6012	Library	Books & Subscriptions	INGRAM	2,592.20
100-4073100-6012	Library	Books & Subscriptions	MARYJANESFARM	29.95
100-4073100-6012	Library	Books & Subscriptions	BAKER & TAYLOR	509.02
100-4073100-6012	Library	Books & Subscriptions	MICROMARKETING	491.85
100-4073100-6012	Library	Books & Subscriptions	GALE GROUP	388.89
100-4073100-6012	Library	Books & Subscriptions	CENTER POINT PUBLISHING	288.36
100-4073100-6012	Library	Books & Subscriptions	MIDWEST TAPE	252.06
100-4073100-6012	Library	Books & Subscriptions	POPULAR MECHANICS	28.00
100-4073100-6012	Library	Books & Subscriptions	RECORDED BOOKS	278.77
100-4073100-6012	Library	Books & Subscriptions	ROANOKE TIMES	208.00
100-4073100-6012	Library	Books & Subscriptions	TEI LANDMARK AUDIO	58.25
100-4073100-6012	Library	Books & Subscriptions	TEI LANDMARK AUDIO	98.75
100-4073100-6012	Library	Books & Subscriptions	ULVERSCROFT	94.44
100-4073100-6012	Library	Books & Subscriptions	ULVERSCROFT	94.44
100-4073100-6012	Library	Books & Subscriptions	US MAGAZINE	84.95
100-4073100-6012	Library	Books & Subscriptions	AMAZON.COM CREDIT	554.61

Account 4073100 Total:				16,429.95
100-4081220	Econ Dev Partnership		ROANOKE REGIONAL PARTNERS	36,329.50

Account 4081220 Total:				36,329.50
100-4081600-2300	Tourism	Hospital/Medical Plan	CORVESTA SERVICES, INC	44.08
100-4081600-2500	Tourism	Disability Insurance	VACO INSURANCE PROGRAMS	19.67
100-4081600-5210	Tourism	Postal Services	UNITED PARCEL SERVICE	11.30
100-4081600-5210	Tourism	Postal Services	UNITED PARCEL SERVICE	11.67
100-4081600-5530	Tourism	Subsistence & Lodging	VISA	110.96
100-4081600-5840	Tourism	Marketing	ALLEGHANY HIGHLANDS	300.00
100-4081600-5840	Tourism	Marketing	VISA	40.99
100-4081600-5840	Tourism	Marketing	VISA	25.63
100-4081600-5840	Tourism	Marketing	HIGHWAY INFORMATION MEDIA	1,000.00
100-4081600-5840	Tourism	Marketing	HIGHWAY INFORMATION MEDIA	840.00
100-4081600-5840	Tourism	Marketing	HIGHWAY INFORMATION MEDIA	480.00
100-4081600-5840	Tourism	Marketing	HIGHWAY INFORMATION MEDIA	840.00
100-4081600-6008	Tourism	Vehicle & Pwr Equip Fuels	EXXON/GECC	12.46

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4081600-6009	Tourism	Vehicle & Pwr Equip Supplies	ZIMRI HOLDINGS, LLC	0.73
Account 4081600 Total:				3,737.49
100-4083000-1100	Cooperative Extension Program	Salaries & Wages - Regular	VIRGINIA POLYTECHNIC INST	7,580.77
100-4083000-2200	Cooperative Extension Program	Retirement	VIRGINIA POLYTECHNIC INST	2,482.70
100-4083000-8001	Cooperative Extension Program	Cap Otly - Mach & Equip	LOWE'S HOME CENTERS	28.41
Account 4083000 Total:				10,091.88
100-4091502	Unemployment Claims		VIRGINIA EMPLOYMENT COMMI	4,919.15
Account 4091502 Total:				4,919.15
100-4092000-5999	Revenue Refunds	Refunds	WELCH,ELAINE W	5.81
100-4092000-5999	Revenue Refunds	Refunds	HOBBS, MELISA P	170.67
100-4092000-5999	Revenue Refunds	Refunds	HYUNDAI LEASE TITLING TR	262.94
100-4092000-5999	Revenue Refunds	Refunds	NEWBERRY,ZACHARY TYLER	221.79
100-4092000-5999	Revenue Refunds	Refunds	THOMAS,BETHANY JOE	39.46
100-4092000-5999	Revenue Refunds	Refunds	HURT,VICKY KISER	32.21
100-4092000-5999	Revenue Refunds	Refunds	TOYOTA MOTOR CREDIT CORPO	132.53
100-4092000-5999	Revenue Refunds	Refunds	BROYLES,LINDA LOUISE & WO	49.28
100-4092000-5999	Revenue Refunds	Refunds	JOYNES,THOMAS DUDLEY	145.68
100-4092000-5999	Revenue Refunds	Refunds	BARKETT,ERRYN MICHAEL & V	27.81
100-4092000-5999	Revenue Refunds	Refunds	MORGAN,JOSHUA WESTLEY	43.47
100-4092000-5999	Revenue Refunds	Refunds	PERKINS,DANIEL SCOTT	95.89
100-4092000-5999	Revenue Refunds	Refunds	MERCEDES-BENZ FINANCIAL	86.19
100-4092000-5999	Revenue Refunds	Refunds	HUTHWAITE, LESLIE	5.15
100-4092000-5999	Revenue Refunds	Refunds	WADE, LONNY K	5.82
100-4092000-5999	Revenue Refunds	Refunds	BOITNOTT,JASMINE SHEA	16.32
100-4092000-5999	Revenue Refunds	Refunds	BAILEY, REGINA C	15.65
100-4092000-5999	Revenue Refunds	Refunds	DOOLEY,BRANDEN LEWIS	37.06
100-4092000-5999	Revenue Refunds	Refunds	MILLER,MICHAEL TODD	96.77
100-4092000-5999	Revenue Refunds	Refunds	VIRGINIA DEPARTMENT OF HO	859.72
Account 4092000 Total:				2,350.22
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	347.98
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	129.99
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	1,942.06
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	0.99
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	273.67
100-4094101-0000-00	Enterprise-Wide Software	0000	HARRIS COMPUTER SYSTEMS	900.00
100-4094101-0000-00	Enterprise-Wide Software	0000	NEWEGG.COM	62.98
100-4094101-0000-00	Enterprise-Wide Software	0000	VISA	314.43
100-4094101-0000-00	Enterprise-Wide Software	0000	AMAZON.COM CREDIT	415.97
Account 4094101 Total:				4,388.07
100-4094310-0000-00	Emerg'y Operations Center	0000	COUNTRY BREEZE HEATING AN	4,800.00
100-4094310-0000-00	Emerg'y Operations Center	0000	VIRGINIA ELECTRONIC COMPO	823.11

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
			Account 4094310 Total:	5,623.11
100-4094801-0000-00	Indust Site Development	0000	COMPTON, MARY ANN	5,000.00
100-4094801-0000-00	Indust Site Development	0000	ENGINEERING CONCEPTS	12,427.70
100-4094801-0000-00	Indust Site Development	0000	VIRGINIA ECONOMIC DEVELOP	100,000.00
100-4094801-0000-00	Indust Site Development	0000	DYNAX AMERICA CORP	225,000.00
			Account 4094801 Total:	342,427.70
			Fund 100 Total:	984,643.61
			Grand Total:	984,643.61

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4011010-5510	Board of Supervisors	Mileage	MARTIN, BILLY	430.13
100-4011010-5510	Board of Supervisors	Mileage	MARTIN, BILLY	4.00
100-4011010-5530	Board of Supervisors	Subsistence & Lodging	THREE LI'L PIGS BARBEQUE	432.83
100-4011010-5530	Board of Supervisors	Subsistence & Lodging	BLACKBURN, MARY	39.09
Account 4011010 Total:				906.05
100-4012110-2300	County Administrator	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	2,802.00
100-4012110-5230	County Administrator	Telecommunications	LUMOS NETWORKS	77.63
100-4012110-5230	County Administrator	Telecommunications	LUMOS NETWORKS	168.67
100-4012110-5230	County Administrator	Telecommunications	VIRGINIA INFORMATION TECH	-2.63
100-4012110-5230	County Administrator	Telecommunications	LUMOS NETWORKS	6.77
100-4012110-5230	County Administrator	Telecommunications	VIRGINIA INFORMATION TECH	0.35
100-4012110-5510	County Administrator	Mileage	FAIN, SUSAN	14.95
Account 4012110 Total:				3,067.74
100-4012121-2300	Deputy Administrators	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	1,868.00
100-4012121-5230	Deputy Administrators	Telecommunications	LUMOS NETWORKS	49.73
100-4012121-5230	Deputy Administrators	Telecommunications	VIRGINIA INFORMATION TECH	-2.37
100-4012121-5230	Deputy Administrators	Telecommunications	LUMOS NETWORKS	20.31
100-4012121-5230	Deputy Administrators	Telecommunications	VIRGINIA INFORMATION TECH	1.05
100-4012121-6008	Deputy Administrators	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	147.63
100-4012121-6008	Deputy Administrators	Vehicle & Pwr Equip Fuels	MOORMAN, DAVID	20.00
Account 4012121 Total:				2,104.35
100-4012310-2300	Commissioner of Revenue	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	5,604.00
100-4012310-5230	Commissioner of Revenue	Telecommunications	LUMOS NETWORKS	206.02
100-4012310-5230	Commissioner of Revenue	Telecommunications	VIRGINIA INFORMATION TECH	8.50
100-4012310-5810	Commissioner of Revenue	Dues & Assoc Memberships	SPICKARD, RODNEY	45.00
100-4012310-8002	Commissioner of Revenue	Cap Otly - Furn & Fixt	SPICKARD, RODNEY	93.72
Account 4012310 Total:				5,957.24
100-4012320-3100	Assessor	Professional Services	WAMPLER-EANES APPRAISAL	11,951.39
Account 4012320 Total:				11,951.39
100-4012410-2300	Treasurer	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	4,670.00
100-4012410-5230	Treasurer	Telecommunications	LUMOS NETWORKS	176.33
100-4012410-5230	Treasurer	Telecommunications	VIRGINIA INFORMATION TECH	4.32
Account 4012410 Total:				4,850.65
100-4012430-2300	Financial Services	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	1,868.00
100-4012430-5230	Financial Services	Telecommunications	LUMOS NETWORKS	26.60
100-4012430-5230	Financial Services	Telecommunications	VIRGINIA INFORMATION TECH	-2.56
100-4012430-5230	Financial Services	Telecommunications	LUMOS NETWORKS	20.31
100-4012430-5230	Financial Services	Telecommunications	VIRGINIA INFORMATION TECH	1.05
Account 4012430 Total:				1,913.40

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4012510-2300	Technology Services	Hospital/Medical Plan	BOTETOVRT COUNTY EMPLOYEE	5,604.00
100-4012510-5230	Technology Services	Telecommunications	COMCAST	478.32
100-4012510-5230	Technology Services	Telecommunications	COMCAST	35.97
100-4012510-5230	Technology Services	Telecommunications	LUMOS NETWORKS	4,741.79
100-4012510-5230	Technology Services	Telecommunications	LUMOS NETWORKS	27.08
100-4012510-5230	Technology Services	Telecommunications	VIRGINIA INFORMATION TECH	1.39
100-4012510-5230	Technology Services	Telecommunications	COMCAST	143.54
Account 4012510 Total:				11,032.09
100-4012530-2300	Central Purchasing	Hospital/Medical Plan	BOTETOVRT COUNTY EMPLOYEE	934.00
100-4012530-5230	Central Purchasing	Telecommunications	LUMOS NETWORKS	28.18
100-4012530-5230	Central Purchasing	Telecommunications	VIRGINIA INFORMATION TECH	-2.63
100-4012530-5230	Central Purchasing	Telecommunications	LUMOS NETWORKS	6.77
100-4012530-5230	Central Purchasing	Telecommunications	VIRGINIA INFORMATION TECH	0.35
Account 4012530 Total:				966.67
100-4012560-2300	Central Garage	Hospital/Medical Plan	BOTETOVRT COUNTY EMPLOYEE	934.00
100-4012560-5230	Central Garage	Telecommunications	LUMOS NETWORKS	1,417.58
Account 4012560 Total:				2,351.58
100-4013300-2300	Electoral Bd/Registrar	Hospital/Medical Plan	BOTETOVRT COUNTY EMPLOYEE	934.00
100-4013300-5230	Electoral Bd/Registrar	Telecommunications	LUMOS NETWORKS	15.63
100-4013300-5230	Electoral Bd/Registrar	Telecommunications	LUMOS NETWORKS	26.18
100-4013300-5230	Electoral Bd/Registrar	Telecommunications	VIRGINIA INFORMATION TECH	-2.63
100-4013300-5230	Electoral Bd/Registrar	Telecommunications	LUMOS NETWORKS	20.31
100-4013300-5230	Electoral Bd/Registrar	Telecommunications	VIRGINIA INFORMATION TECH	1.05
100-4013300-5510	Electoral Bd/Registrar	Mileage	WICKHAM, KAREN K	23.58
Account 4013300 Total:				1,018.12
100-4021100-2300	Circuit Court	Hospital/Medical Plan	BOTETOVRT COUNTY EMPLOYEE	934.00
100-4021100-5230	Circuit Court	Telecommunications	LUMOS NETWORKS	109.67
100-4021100-5230	Circuit Court	Telecommunications	VIRGINIA INFORMATION TECH	13.76
100-4021100-6001	Circuit Court	Office Supplies	WILSON, DEBRA	13.95
Account 4021100 Total:				1,071.38
100-4021200-5230	General District Court	Telecommunications	LUMOS NETWORKS	367.14
100-4021200-5230	General District Court	Telecommunications	VIRGINIA INFORMATION TECH	12.58
Account 4021200 Total:				379.72
100-4021300-5230	Magistrate	Telecommunications	LUMOS NETWORKS	0.21
100-4021300-5230	Magistrate	Telecommunications	LUMOS NETWORKS	13.54
100-4021300-5230	Magistrate	Telecommunications	VIRGINIA INFORMATION TECH	0.70
Account 4021300 Total:				14.45

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4021600-2300	Clerk of Circuit Court	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	5,604.00
100-4021600-5230	Clerk of Circuit Court	Telecommunications	LUMOS NETWORKS	214.89
100-4021600-5230	Clerk of Circuit Court	Telecommunications	VIRGINIA INFORMATION TECH	6.10
Account 4021600 Total:				5,824.99
100-4022100-2300	Commonwealth's Attorney	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	6,538.00
100-4022100-5110	Commonwealth's Attorney	Electrical Services	AMERICAN ELECTRIC PO	103.16
100-4022100-5120	Commonwealth's Attorney	Heating Services	ROANOKE GAS COMPANY	111.41
100-4022100-5230	Commonwealth's Attorney	Telecommunications	LUMOS NETWORKS	135.54
100-4022100-5230	Commonwealth's Attorney	Telecommunications	VIRGINIA INFORMATION TECH	2.26
Account 4022100 Total:				6,890.37
100-4031200-2300	Sheriff	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	42,030.00
100-4031200-5230	Sheriff	Telecommunications	LUMOS NETWORKS	58.86
100-4031200-5230	Sheriff	Telecommunications	LUMOS NETWORKS	433.10
100-4031200-5230	Sheriff	Telecommunications	VIRGINIA INFORMATION TECH	13.21
100-4031200-5230	Sheriff	Telecommunications	VERIZON WIRELESS	1,014.01
100-4031200-5830	Sheriff	RAID Patrol	LUMOS NETWORKS	27.08
100-4031200-5830	Sheriff	RAID Patrol	VIRGINIA INFORMATION TECH	1.39
100-4031200-5830	Sheriff	RAID Patrol	VERIZON WIRELESS	82.49
100-4031200-5850	Sheriff	Crime Prevention	LUMOS NETWORKS	6.77
100-4031200-5850	Sheriff	Crime Prevention	VIRGINIA INFORMATION TECH	0.35
100-4031200-5850	Sheriff	Crime Prevention	VERIZON WIRELESS	49.94
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	WEBB'S OIL CORPORATION	3,009.58
100-4031200-6009	Sheriff	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	7,085.41
100-4031200-6015	Sheriff	Firing Range Expenses	CRAIG-BOTETOURT ELECTRIC	236.34
100-4031200-8005	Sheriff	Cap Otlly - Mtr Veh/Equip	SHEEHY AUTO STORES	26,195.68
100-4031200-8005	Sheriff	Cap Otlly - Mtr Veh/Equip	SHEEHY AUTO STORES	26,418.35
Account 4031200 Total:				106,662.56
100-4031700-2300	Dispatch	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	10,274.00
100-4031700-5230	Dispatch	Telecommunications	VIRGINIA INFORMATION TECH	27.21
100-4031700-5230	Dispatch	Telecommunications	VERIZON WIRELESS	30.45
100-4031700-5230	Dispatch	Telecommunications	LUMOS NETWORKS	237.87
Account 4031700 Total:				10,569.53
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	BLUE RIDGE VOLUNTEER FIRE	17,724.19
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	TROUTVILLE VOLUNTEER FIRE	33,954.73
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	BUCHANAN VOLUNTEER FIRE D	48,066.46
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	FINCASTLE VOLUNTEER FIRE	32,246.01
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	EAGLE ROCK VOLUNTEER FIRE	23,467.50
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	GLEN WILTON VOLUNTEER FIR	15,207.34
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	BOTETOURT COUNTY EMERGENC	29,680.76
100-4032200-5641	Volunteer Fire & Rescue	County Volunteer FDs	DAVENPORT ENERGY INC	777.62
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	BLUE RIDGE RESCUE SQUAD	20,886.77
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	TROUTVILLE RESCUE SQUAD	18,987.59
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	FINCASTLE RESCUE SQUAD	16,997.51
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	EAGLE ROCK RESCUE SQUAD	13,300.00

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	CRAIG-BOTETOURE ELECTRIC	29.00
100-4032200-5651	Volunteer Fire & Rescue	County Vol Resc Squads	DAVENPORT ENERGY INC	1,026.58
Account 4032200 Total:				272,352.06
100-4033100-2300	Correction and Detention	Hospital/Medical Plan	BOTETOURE COUNTY EMPLOYEE	44,842.65
100-4033100-5110	Correction and Detention	Electrical Services	AMERICAN ELECTRIC PO	11,128.46
100-4033100-5120	Correction and Detention	Heating Services	ROANOKE GAS COMPANY	1,748.99
100-4033100-5230	Correction and Detention	Telecommunications	LUMOS NETWORKS	240.09
100-4033100-5230	Correction and Detention	Telecommunications	VIRGINIA INFORMATION TECH	6.62
100-4033100-5230	Correction and Detention	Telecommunications	VERIZON WIRELESS	82.49
Account 4033100 Total:				58,049.30
100-4033300-5230	Probation Office	Telecommunications	LUMOS NETWORKS	114.67
100-4033300-5230	Probation Office	Telecommunications	VIRGINIA INFORMATION TECH	2.16
Account 4033300 Total:				116.83
100-4034000-2300	Dept of Community Development	Hospital/Medical Plan	BOTETOURE COUNTY EMPLOYEE	8,406.00
100-4034000-5230	Dept of Community Development	Telecommunications	LUMOS NETWORKS	41.03
100-4034000-5230	Dept of Community Development	Telecommunications	VIRGINIA INFORMATION TECH	-2.53
100-4034000-5230	Dept of Community Development	Telecommunications	LUMOS NETWORKS	63.45
100-4034000-5230	Dept of Community Development	Telecommunications	VIRGINIA INFORMATION TECH	3.13
100-4034000-5530	Dept of Community Development	Subsistence & Lodging	GOAD, LAURA	38.72
100-4034000-6009	Dept of Community Development	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	753.32
Account 4034000 Total:				9,303.12
100-4035100-2300	Animal Control	Hospital/Medical Plan	BOTETOURE COUNTY EMPLOYEE	2,802.00
100-4035100-5230	Animal Control	Telecommunications	LUMOS NETWORKS	27.08
100-4035100-5230	Animal Control	Telecommunications	VIRGINIA INFORMATION TECH	1.39
100-4035100-5230	Animal Control	Telecommunications	VERIZON WIRELESS	130.20
100-4035100-6009	Animal Control	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	677.36
Account 4035100 Total:				3,638.03
100-4035500-2300	Fire & EMS	Hospital/Medical Plan	BOTETOURE COUNTY EMPLOYEE	29,888.00
100-4035500-5230	Fire & EMS	Telecommunications	LUMOS NETWORKS	-25.82
100-4035500-5230	Fire & EMS	Telecommunications	VIRGINIA INFORMATION TECH	2.89
100-4035500-5230	Fire & EMS	Telecommunications	LUMOS NETWORKS	47.39
100-4035500-5230	Fire & EMS	Telecommunications	VIRGINIA INFORMATION TECH	2.44
100-4035500-5530	Fire & EMS	Subsistence & Lodging	GUEST SERVICES	342.60
100-4035500-6008	Fire & EMS	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	1,986.82
Account 4035500 Total:				32,244.32
100-4035600-5231	Emergency Communications	Wireless E911 Communications	LUMOS NETWORKS	418.05
100-4035600-5231	Emergency Communications	Wireless E911 Communications	LUMOS NETWORKS	496.95
100-4035600-5231	Emergency Communications	Wireless E911 Communications	VERIZON	3.77
100-4035600-5232	Emergency Communications	E911 Landline Communications	VERIZON	2,664.66
100-4035600-5232	Emergency Communications	E911 Landline Communications	LUMOS NETWORKS	847.60

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
Account 4035600 Total:				4,431.03
100-4040000-2300	General Services	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	2,802.00
100-4040000-5230	General Services	Telecommunications	LUMOS NETWORKS	107.44
100-4040000-5230	General Services	Telecommunications	VIRGINIA INFORMATION TECH	-2.49
100-4040000-6009	General Services	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	146.74
Account 4040000 Total:				3,053.69
100-4042400-2300	Waste Management	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	3,736.00
100-4042400-3191	Waste Management	Refuse Disposal	COUNTY WASTE	1,466.25
100-4042400-3192	Waste Management	Recycling	ADVANCED DISPOSAL	1,014.10
100-4042400-5110	Waste Management	Electrical Services	CRAIG-BOTETOURT ELECTRIC	64.30
100-4042400-5110	Waste Management	Electrical Services	CRAIG-BOTETOURT ELECTRIC	158.61
100-4042400-5110	Waste Management	Electrical Services	CRAIG-BOTETOURT ELECTRIC	118.02
100-4042400-5230	Waste Management	Telecommunications	LUMOS NETWORKS	120.32
100-4042400-5230	Waste Management	Telecommunications	VIRGINIA INFORMATION TECH	-2.26
Account 4042400 Total:				6,675.34
100-4043000-2300	Maint of Gen Bldg & Grounds	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	6,538.00
100-4043000-3191	Maint of Gen Bldg & Grounds	Refuse Disposal	COUNTY WASTE	977.21
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	58.39
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	253.64
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	252.48
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	1,920.34
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	149.24
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	263.16
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	198.38
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	572.03
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	10.25
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	18.30
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	4,095.98
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	10.71
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	174.97
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	245.59
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	10.25
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	98.24
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	AMERICAN ELECTRIC PO	1,142.21
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	CRAIG-BOTETOURT ELECTRIC	145.80
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	CRAIG-BOTETOURT ELECTRIC	132.41
100-4043000-5110	Maint of Gen Bldg & Grounds	Electrical Services	DOMINION VIRGINIA POWER	239.95
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	ROANOKE GAS COMPANY	230.01
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	ROANOKE GAS COMPANY	38.71
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	ROANOKE GAS COMPANY	864.45
100-4043000-5120	Maint of Gen Bldg & Grounds	Heating Services	ROANOKE GAS COMPANY	157.62
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	230.60
100-4043000-5130	Maint of Gen Bldg & Grounds	Water and Sewer	WESTERN VIRGINIA WATER AU	424.05
100-4043000-5230	Maint of Gen Bldg & Grounds	Telecommunications	LUMOS NETWORKS	332.82
100-4043000-5230	Maint of Gen Bldg & Grounds	Telecommunications	VIRGINIA INFORMATION TECH	-2.63
100-4043000-6008	Maint of Gen Bldg & Grounds	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	321.30

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
			Account 4043000 Total:	20,104.46
100-4053500-2300	Children's Services (CSA)	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	934.00
100-4053500-5230	Children's Services (CSA)	Telecommunications	LUMOS NETWORKS	52.36
100-4053500-5230	Children's Services (CSA)	Telecommunications	VIRGINIA INFORMATION TECH	-2.61
100-4053500-5230	Children's Services (CSA)	Telecommunications	LUMOS NETWORKS	6.77
100-4053500-5230	Children's Services (CSA)	Telecommunications	VIRGINIA INFORMATION TECH	0.35
			Account 4053500 Total:	990.87
100-4071000-2300	Parks & Recreation	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	7,472.00
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	12.29
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	42.65
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	109.08
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	16.13
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	18.30
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	14.50
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	42.55
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	40.88
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	23.11
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	30.79
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	61.27
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	12.01
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	27.72
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	11.54
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	10.34
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	42.08
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	14.88
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	33.76
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	23.31
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	23.49
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	145.42
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	62.09
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	14.50
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	14.50
100-4071000-5110	Parks & Recreation	Electrical Services	AMERICAN ELECTRIC PO	90.55
100-4071000-5120	Parks & Recreation	Heating Services	ROANOKE GAS COMPANY	118.91
100-4071000-5130	Parks & Recreation	Water and Sewer	WESTERN VIRGINIA WATER AU	138.20
100-4071000-5130	Parks & Recreation	Water and Sewer	AQUA VA	18.90
100-4071000-5130	Parks & Recreation	Water and Sewer	BLUE RIDGE WATER	24.00
100-4071000-5130	Parks & Recreation	Water and Sewer	WESTERN VIRGINIA WATER AU	68.35
100-4071000-5130	Parks & Recreation	Water and Sewer	WESTERN VIRGINIA WATER AU	40.56
100-4071000-5130	Parks & Recreation	Water and Sewer	WESTERN VIRGINIA WATER AU	30.75
100-4071000-5230	Parks & Recreation	Telecommunications	LUMOS NETWORKS	332.63
100-4071000-5230	Parks & Recreation	Telecommunications	VIRGINIA INFORMATION TECH	-0.26
100-4071000-6008	Parks & Recreation	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	678.11
			Account 4071000 Total:	9,859.89
100-4071300-2300	Botetourt Sports Complex	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	2,802.00
100-4071300-5110	Botetourt Sports Complex	Electrical Services	AMERICAN ELECTRIC PO	631.24

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4071300-5130	Botetourt Sports Complex	Water and Sewer	WESTERN VIRGINIA WATER AU	63.25
100-4071300-5230	Botetourt Sports Complex	Telecommunications	LUMOS NETWORKS	1,652.71
100-4071300-5230	Botetourt Sports Complex	Telecommunications	VIRGINIA INFORMATION TECH	-0.75
100-4071300-6008	Botetourt Sports Complex	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	92.54
100-4071300-6014	Botetourt Sports Complex	Other Operating Supplies	TELVENT DTN INC	246.75
Account 4071300 Total:				5,487.74
100-4071500-6009	Van Program	Vehicle & Pwr Equip Supplies	JETER, PHYLLIS	10.00
100-4071500-6009	Van Program	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	555.23
Account 4071500 Total:				565.23
100-4073100-2300	Library	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	11,208.00
100-4073100-5110	Library	Electrical Services	DOMINION VIRGINIA POWER	888.49
100-4073100-5110	Library	Electrical Services	AMERICAN ELECTRIC PO	584.70
100-4073100-5110	Library	Electrical Services	AMERICAN ELECTRIC PO	18.82
100-4073100-5110	Library	Electrical Services	AMERICAN ELECTRIC PO	514.68
100-4073100-5230	Library	Telecommunications	LUMOS NETWORKS	2,640.36
100-4073100-5230	Library	Telecommunications	VIRGINIA INFORMATION TECH	12.81
100-4073100-6009	Library	Vehicle & Pwr Equip Supplies	DAVENPORT ENERGY INC	370.51
Account 4073100 Total:				16,238.37
100-4081600-2300	Tourism	Hospital/Medical Plan	BOTETOURT COUNTY EMPLOYEE	1,868.00
100-4081600-5230	Tourism	Telecommunications	LUMOS NETWORKS	29.82
100-4081600-5530	Tourism	Subsistence & Lodging	MOORMAN, LISA	17.15
100-4081600-6008	Tourism	Vehicle & Pwr Equip Fuels	DAVENPORT ENERGY INC	57.59
Account 4081600 Total:				1,972.56
100-4083000-5230	Cooperative Extension Program	Telecommunications	LUMOS NETWORKS	157.08
100-4083000-5230	Cooperative Extension Program	Telecommunications	VIRGINIA INFORMATION TECH	1.92
Account 4083000 Total:				159.00
100-4092000-5999	Revenue Refunds	Refunds	REESE CONSTRUCTION	279.00
100-4092000-5999	Revenue Refunds	Refunds	BLACKBURN, JOHN P & RHONDA	10.11
100-4092000-5999	Revenue Refunds	Refunds	GELCO FLEET TRUST	169.03
100-4092000-5999	Revenue Refunds	Refunds	BEYERS, ANDREW MICHAEL	23.73
100-4092000-5999	Revenue Refunds	Refunds	RUCKER, RICKY EUGENE	248.01
100-4092000-5999	Revenue Refunds	Refunds	FORD MOTOR CREDIT CO	53.91
100-4092000-5999	Revenue Refunds	Refunds	ARRITT JR, ROBERT BOONE &	5.88
100-4092000-5999	Revenue Refunds	Refunds	FIELDER, RUTH S & ROBERT R	3.24
100-4092000-5999	Revenue Refunds	Refunds	JONES, PAULA J	14.39
100-4092000-5999	Revenue Refunds	Refunds	CARY, ROBERT HARRISON	10.67
100-4092000-5999	Revenue Refunds	Refunds	NELSON, WENDY LOIS & SPENC	17.84
100-4092000-5999	Revenue Refunds	Refunds	ATKINS, RONNIE WAYNE	36.27
100-4092000-5999	Revenue Refunds	Refunds	HUGH'S BODY SHOP	41.31
100-4092000-5999	Revenue Refunds	Refunds	BP WIND ENERGY NORTH AMER	213.92
100-4092000-5999	Revenue Refunds	Refunds	LYTHGOE, DANIEL JAMES & SH	5.45
100-4092000-5999	Revenue Refunds	Refunds	AL-MOSAWY, ALI M	141.18

GL Account	LI Acct Description	LI Object Description	Vendor Sort Name	Total
100-4092000-5999	Revenue Refunds	Refunds	BURNS,SHAWN PATRICK & SUS	80.34
100-4092000-5999	Revenue Refunds	Refunds	GIBSON,ELLA ROCKHILL	47.36
100-4092000-5999	Revenue Refunds	Refunds	FOSKEY,JACOB KELLY	35.31
100-4092000-5999	Revenue Refunds	Refunds	HANSEN,SAMANTHA ELLEN	136.45
100-4092000-5999	Revenue Refunds	Refunds	MARTIN, CLARENCE	234.72
100-4092000-5999	Revenue Refunds	Refunds	NAFF JR, DANIEL C & LINDA	9.79
100-4092000-5999	Revenue Refunds	Refunds	DONNINI, MICHAEL J	6.95
100-4092000-5999	Revenue Refunds	Refunds	P A SHORT DISTRIBUTING CO	36.37
100-4092000-5999	Revenue Refunds	Refunds	WISEMAN,MARK EDWARD	12.32
100-4092000-5999	Revenue Refunds	Refunds	COOK,JEFFREY DAVIES & IRE	35.64
100-4092000-5999	Revenue Refunds	Refunds	CRAFT,JONATHAN SCOTT	6.87
100-4092000-5999	Revenue Refunds	Refunds	DOLLAR,TERRY ANNE	8.08
100-4092000-5999	Revenue Refunds	Refunds	PERKEY III,GILBERT J	57.60
			Account 4092000 Total:	1,981.74
100-4092750-5230	Utility Expenses - Post 6/30/1	Telecommunications	LUMOS NETWORKS	-33.47
100-4092750-5230	Utility Expenses - Post 6/30/1	Telecommunications	VIRGINIA INFORMATION TECH	-1.90
			Account 4092750 Total:	-35.37
			Fund 100 Total:	624,720.49
400-4095112-9100	Buchanan Fire Truck	Debt Service	BANK OF BOTETOURT	3,055.00
			Account 4095112 Total:	3,055.00
			Fund 400 Total:	3,055.00
			Grand Total:	627,775.49

AGENDA ITEM: Adoption of Board of Supervisors' bylaws, consideration of various committee/commission/board appointments, and consideration of rescheduling the December 2016 meeting.

Administrator's Comments:

A copy of the Board's bylaws is attached for consideration. No amendments are proposed.

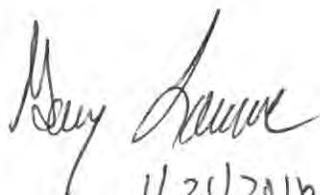
Also, attached is a listing of the committee/commission/board appointments for your review. The 2016 appointments can be approved by a single resolution covering all. The County Attorney has also determined that the Board needs to adopt resolutions formally designating the Deputy County Administrator, County Administrator, and Deputy Clerk to the Board of Supervisors to their respective positions and duties as required by the Code of Virginia. Resolutions to this effect are attached.

Also, the fourth Tuesday in December 2016 is the 27th. The Board could either hold the meeting on the 27th or reschedule it to avoid any conflict with holiday/vacation plans. If the meeting is rescheduled, it is suggested that it be held on Thursday, December 22nd.

Recommendations:

1. Adopt the bylaws.
2. Make the necessary appointments for 2016 and adopt the attached resolutions designating the Deputy County Administrator, County Administrator, and Deputy Clerk to the Board to their respective positions and duties as required by the Code of Virginia.
3. If the Board desires to reschedule the regularly scheduled December 27, 2016 meeting, it is recommended that the meeting be held on Thursday, December 22.

Attachments


1/21/2016

BYLAWS
BOARD OF SUPERVISORS
OF
BOTETOURT COUNTY
(Amended January 3, 2014)

I. CHAIRMAN

The Chairman of the Board of Supervisors shall preside at all meetings of the Board. In the event of the absence or disability of the Chairman, the Vice-Chairman shall preside. In the event of the absence or disability of both the Chairman and Vice-Chairman, the remaining members of the Board shall elect by a majority vote a temporary Chairman who shall preside at the meeting for which he is elected.

II. CLERK

The County Administrator shall serve as Clerk of the Board of Supervisors. The books and records of the Board shall be deposited with the Clerk and shall be open, without any charge, to the examination of all persons. The general duties of the Clerk shall be as prescribed by Section 15.2-1539 of the Code of Virginia, which is incorporated herein by reference.

III. QUORUM

A majority of the members of the Board of Supervisors shall constitute a quorum of the Board. Except when otherwise required by statute, or by the bylaws, the vote of a majority of those present shall prevail upon any question.

IV. AGENDA

The Clerk shall prepare and make available to each member of the Board a detailed agenda at least one (1) day prior to each regular meeting of the Board. The agenda may be departed from with the consent of the Chairman or by a majority vote of the Supervisors present.

It shall be the responsibility of each Board member to notify the Clerk of any matter which such member wishes included on the agenda. Any matter not disposed of at a meeting shall be included on the agenda of the next regular meeting.

For any special meeting, the business to be discussed shall be stated in the call for such meeting. No other business shall be discussed or acted upon over the objection of any member present.

V. HEARINGS

Any advertised public hearing shall be considered a special order of business at the time set for such hearing and shall supplant any matter on the agenda except the approval of the minutes and approval of payment of bills.

Where persons desire to be heard upon matters not on the agenda, the consent of the Chairman or of a majority of the Supervisors present shall be required. Generally, at a hearing, no person shall be allowed to speak more than five (5) minutes nor more than once upon any particular question. The Chairman, may in his discretion, deviate from this rule.

VI. RULES OF ORDER

The deliberations of the Board of Supervisors, unless otherwise provided by statute or these bylaws, shall be governed by "A Handbook of Parliamentary Procedure" (Publication 305-772, Virginia Cooperative Extension Service), with the exception that the Chairman may make a motion and will vote on any issue. If the foregoing is inapplicable, then Robert's Rules of Order shall govern.

Appeal may be taken by any member from a ruling of the Chair. A majority vote of those members present shall determine any appeal. Any motion to close debate shall require approval by two-thirds (2/3) vote of those members present.

VII. REGULAR MEETINGS

The regular meeting of the Board of Supervisors shall be held on the fourth Tuesday of each month, beginning at 2:00 P. M., in Rooms 226, 227, and 228 of the Greenfield Education and Training Center in Daleville, Virginia, provided, that when the fourth Tuesday of any month falls upon a legal holiday such regular meeting in such month shall be held on the next following business day; and provided further, that the Board of Supervisors may, by resolution at any meeting, provide that the next following regular meeting shall be held at 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.

If the Chairman, or the Vice-Chairman if the Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the board members to attend a regular meeting, the regular meeting shall be continued until the next business day. Such conditions shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

VIII. SPECIAL MEETINGS

A special meeting of the Board shall be held when requested in writing by the Chairman or two or more Supervisors. Upon receipt of such request, the Clerk shall immediately notify each member of the Board and the County Attorney in writing. Such notice shall specify the matters to be considered at the meeting. Such notice shall be sent in writing delivered in person or to his place of residence or business in accordance with Section 15.2-1418 of the Code of Virginia.

IX. AMENDMENTS

These bylaws may be amended by a majority vote of the Board at any time.

COMMITTEES, COMMISSIONS AND BOARDS

2015 Member Assignment	2016 Member Assignment	Position or Board	Mtg. Date, Time & Location	Compensation
Dr. Scothorn	_____	Board Chairman	4th Tues/2PM Greenfield ETC	Additional \$100 per month
Mr. Leffel	_____	Board Vice-Chmn.	4th Tues/2PM Greenfield ETC	Additional \$40 per month
Dr. Scothorn	_____	Roanoke Regional Partnership (Chmn.)	Semi-annually Partn. Office June 9 @ 8AM & Nov. 2016	Mileage
Mr. Martin	_____	Social Services Board	2nd Wed/9:30AM Soc. Serv. Off.	\$50 per month
Mr. Dodson	_____	Parks & Rec. Comm.	Every other month 2nd Mon/6:30PM Old District Court-house Mtg. Room	\$50 per mtg.
Dr. Scothorn	_____	Planning Commission	1st Mon/6:00PM Old District Court-house Mtg. Room	\$100 per mtg.
Mr. Leffel	_____	Library Board of Trustees	4th Mon/2PM alternate locations	Mileage
Mr. Leffel	_____	Transp. Safety Comm.	Quarterly--2 nd Tues 6:30 PM @ General Svcs. Off.	\$40 per mtg.
Mr. Martin	_____	TAP Brd. of Directors	3rd Tues/4PM TAP Office	Mileage
	_____	Econ. Dev. Authority	When called	Mileage
Mr. Martin & Mr. Dodson	_____	Fire & EMS Committee	3rd Mon/7:00 PM Fincastle Library	Mileage
Mr. Dodson	_____	RVARC CEDS	Quarterly/3PM Greenfield ETC	Mileage
All Board Members	_____	General Fund Budget Committee		Mileage
Dr. Scothorn & Mr. Williamson	_____	General Fund Budget Subcommittee		Mileage
Mr. Leffel & Mr. Dodson	_____	School Budget Committee		Mileage
Mr. Larrowe & Mr. Lockaby	<u>GL/ML</u>	Parliamentarians		
Mr. Larrowe	<u>Mr. Larrowe</u>	Clerk to the Board		
Mrs. Fain	<u>Mrs. Fain</u>	Deputy Clerk to the Board		

COMMITTEES, COMMISSIONS AND BOARDS

NAME	DATE/TIME/LOCATION
Library Board of Trustees	4th Monday @ 2:00 PM Alternate Library locations
Parks & Recreation Commission	2nd Monday @ 6:30 PM Every other month beginning w/Jan. Old District Courthouse Mtg. Room 5 W. Main Street, Fincastle
Planning Commission	1st Monday @ 6:00 PM Old District Courthouse Mtg. Room 5 W. Main Street, Fincastle
School Board	2nd Thursday @ 6:30 PM School Board Office 143 Poor Farm Road, Fincastle
Social Services Board	2nd Wednesday @ 9:30 AM Social Services Office 220 Commons Parkway, Daleville
Transportation Safety Commission	Quarterly on 2 nd Tuesday @ 6:30 PM General Services Office 30 W. Back Street, Fincastle
Economic Development Authority	When called but usually @ 3:30 PM Circuit Courthouse 2 nd fl. conf. room 1 W. Main Street, Fincastle

DRAFT RESOLUTIONS

WHEREAS, David V. Moorman, Deputy County Administrator, served as Interim County Administrator from December 1, 2015, to January 14, 2016; and

WHEREAS, Mr. Moorman, during this time, despite the additional workload, handled all of the County's business with grace and care during this transition period; and

WHEREAS, it is appropriate to designate the Deputy County Administrator to carry out certain duties of the county administrator in the event that absence of the county administrator, emergency, or administrative efficiency makes such action advisable:

NOW THEREFORE: Be it resolved that:

1. The Board of Supervisors hereby thanks and gives its sincere appreciation for Mr. Moorman's work during this transition period.
 2. The Board of Supervisors hereby designates Mr. David V. Moorman as deputy to the county administrator, in accordance with Va. Code § 15.2-1502, and may carry out the duties of the county administrator and central purchasing agent as set forth in Va. Code §§ 15.2-1541 and 15.2-1543, and such other and further duties as may be assigned to chief administrative officers of localities by law or resolution of this Board, upon prior authorization of his principal in the event of his absence or as his principal assigns in the interest of administrative efficiency; or, in the case of emergency circumstances in which his principal may not act in a timely fashion.
-

WHEREAS, Gary Larrowe began his service to Botetourt County as County Administrator on January 15, 2016; and

WHEREAS, this Board wishes to confirm his duties as County Administrator:

NOW THEREFORE: Be it resolved that:

1. Mr. Gary Larrowe is hereby appointed as County Administrator for Botetourt County, Virginia, and shall, as of January 15, 2016, be the chief administrative officer of Botetourt County as set forth in Va. Code § 15.2-1540, and carry out all those duties set forth in Va. Code § 15.2-1541, and such other and further duties as may be assigned to chief administrative officers of localities by law or resolution of this Board; and
 2. Mr. Gary Larrowe is hereby appointed as Clerk to the Board of Supervisors of Botetourt County, Virginia, pursuant to Va. Code § 15.2-1538, and shall carry out such duties as are set forth in Va. Code § 15.2-1539, and such other and further duties as may be assigned to the clerks of localities by law or resolution of this Board; and
 3. Mr. Gary Larrowe is hereby appointed as county purchasing agent for Botetourt County, Virginia, and shall carry out those duties set forth in Va. Code § 15.2-1543 in the manner he thinks fit, and in accordance with law.
-

WHEREAS, Ms. Susan Fain has well and diligently served Botetourt County as Deputy Clerk to the Board of Supervisors for many years; and

WHEREAS, it is appropriate to designate the Deputy Clerk to the Board of Supervisors to carry out certain duties of the clerk in the event that absence of the clerk, emergency, or administrative efficiency makes such action advisable:

NOW THEREFORE: Be it resolved that Ms. Susan Fain is hereby appointed as Deputy Clerk to the Botetourt County Board of Supervisors, in accordance with Va. Code § 15.2-1502, and shall carry out those duties set forth in Va. Code § 15.2-1539 and such other and further duties as may be assigned to clerks of localities by law or resolution of this Board, upon prior authorization of her principal in the event of his absence or as her principal assigns in the interest of administrative efficiency; or, in the case of emergency circumstances in which her principal may not act in a timely fashion.

AGENDA ITEM: Consideration of amendments to the Employee Personnel Policy Manual.

Administrator's Comments:

Annually staff reviews and recommends amendments to the County's employee personnel policy manual based on changes in governing law or regulation, changes in workplace conditions or workforce trends, or to make necessary editorial revisions.

Attached is a draft manual with recommended amendments identified. As you will see, most of the amendments are non-substantive editorial and grammatical changes. There are changes related to regulatory requirements including a provision addressing the availability of break time and space for employees who are nursing mothers (ref. the Affordable Care Act), and provisions related to employees' use of County-provided uniforms and personal safety equipment as use is regulated by the Internal Revenue Service.

Other substantive changes relate to the effect of the Virginia Retirement System's (VRS) establishment of a third compulsory retirement plan (the Hybrid Plan) applicable to non-public safety employees hired after January 1, 2014. Amendments to the County's deferred compensation policy and various leave policies are a direct result of VRS' provision of benefits to Hybrid Plan employees that differ significantly from benefits the VRS provides to all other employees. The purpose and intent of the County amendments is to equalize the overall general level of benefits for all County employees.

The proposed amendments have been prepared in consultation with County department heads and general consultation with the County Attorney. The County Attorney's final review and approval is pending. That being the case, staff recommends the Board's adoption of the amendments subject to final review and approval by the County Attorney, allowing for non-substantive revisions as the County Attorney may advise.

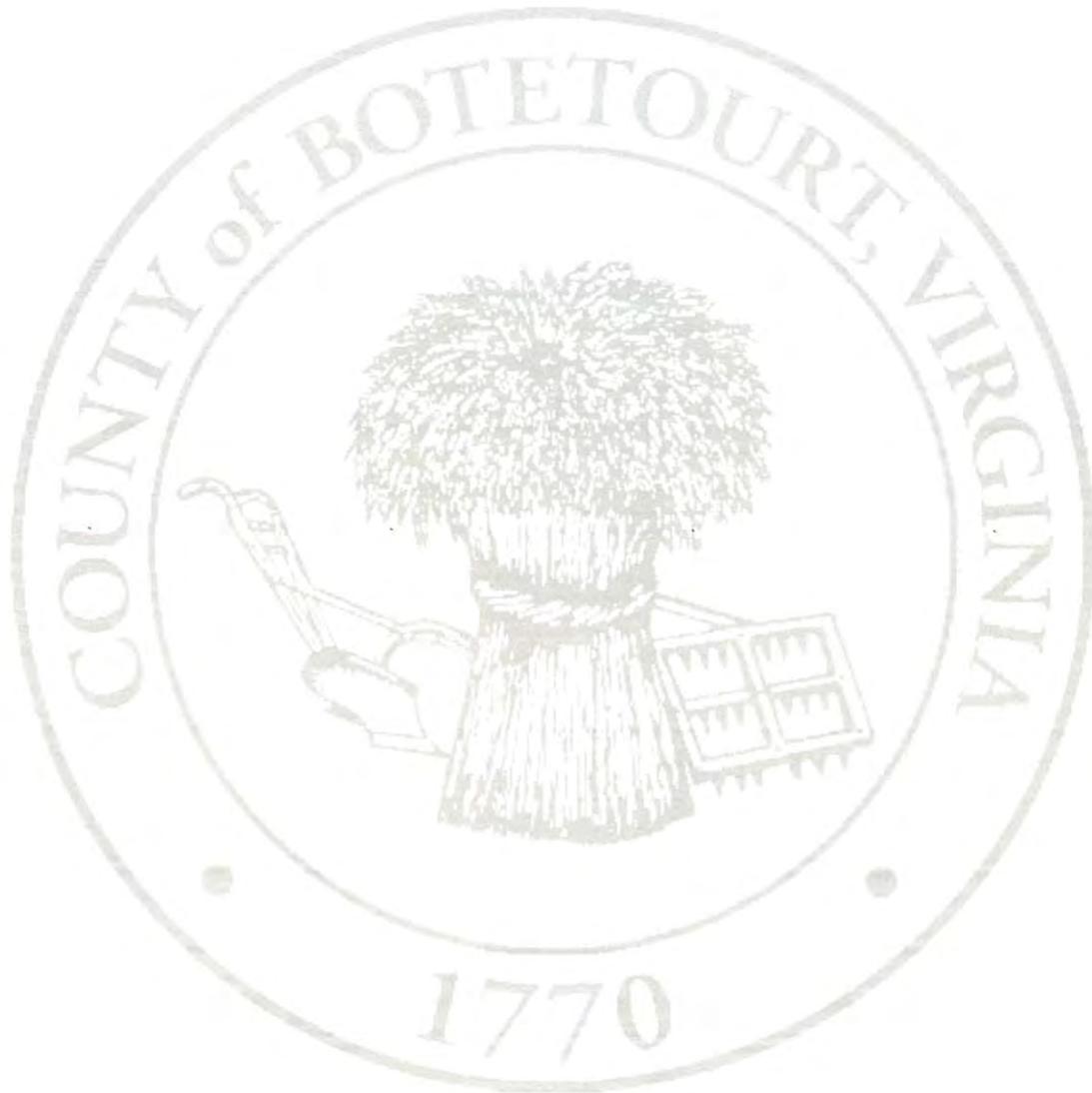
Recommendations:

Upon review, questions and discussion by Board members, adopt the proposed amendments to the County's employee personnel policy manual subject to the review and approval of the County Attorney, allowing for non-substantive revisions as the Attorney may advise.

Attachment

 1/21/2016

County of Botetourt, Virginia
Manual of Personnel Policies



Adopted: November 19, 1986
Revised: ~~January 28, 2014~~December 2015

County of Botetourt, Virginia Manual of Personnel Policies

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County of Botetourt, Virginia

Manual of Personnel Policies

1. Introduction

1.1 Welcome

Welcome to employment with Botetourt County, Virginia! You are congratulated on your record of achievement and your selection for the position to which you've been hired.

This manual has been prepared to help familiarize you with County policies and procedures. It is not intended as a contract and does not create a contract of employment. Rather, it is a set of guidelines that will aid and assist you in your new duties and in building relationships with your new co-workers. Read it carefully. Become familiar with its provisions. And do not hesitate to ask for clarification whenever you have questions.

1.2 Purpose

It is the purpose of this manual to establish and maintain a uniform system for managing personnel matters; to comply with applicable employment laws; and to provide for the standards, terms, and conditions of employment with the County in a clear and comprehensive fashion to maximize the efficiency and orderliness of operations. It is further intended, by adoption and periodic amendment of these policies and procedures, that they serve as a guide for employees of the County in their routine work activities and relationships to the extent that the objectives of both the County and individual employees can be achieved.

1.3 Establishment of Policies

The policies contained herein have been established by legal action of the Board of Supervisors. Amendments shall be made at the Board's discretion to maintain legal compliance, operational effectiveness, and the general scope of desired workplace conditions.

1.4 Vision, Mission and Values Statement

The Botetourt County Board of Supervisors Mission and Values Statement is below. Employees are expected to act and to perform their work in a manner and by use of means consistent with this statement.

We, the Elected Supervisors of Botetourt County
Envision a community where county residents are attaining higher education and economic goals; are enjoying a quality of life marked by safety and security, environmental protection, quality business and residential development, and a variety of recreational and cultural opportunities; and are pleased with the value and cost of county government.

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Have a mission to generate and allocate revenues and establish policies and regulations in order to pursue public safety and educational goals, protect our environment and quality of life, enhance the local economy, comply with state and federal program mandates, provide other lawful services desired and supported by county residents.

Are dedicated to applying values-based principles in the everyday work of the Board and its staff, including commitment to:

Integrity, as a foundation for open and honest dealings with all and a desire to always choose the harder right rather than the easier wrong in our decision-making;

Excellence, through devotion to the strong work ethic and cooperative spirit that have been hallmarks of our citizens, in order to provide efficient and effective services for County residents and businesses;

Limited government and its associated qualities of equitable and just taxation and regulation, simplified structure and operations, and easy accessibility for County residents and businesses;

Respect for others, by recognizing that fairness and genuine empathy should be the basis for our engagement with the public at large;

Respect for the past and the future, by acknowledging that much of what makes Botetourt unique today is rooted in past decisions that preserved a special natural environment and quality of life, and that future generations deserve as much from us;

Accountability, individually and in teams, by always accepting responsibility for our behaviors, actions, and results; and

Loyalty in word and deed to each other and to our community.

Upon amendment of any part of this manual, the County will endeavor to use normal communication channels to apprise employees, in a timely fashion, of such changes and their effect, if any.

Each employee covered or affected by this manual is responsible for knowledge of and compliance with all provisions contained herein.

1.5 Legal Standing

This manual and the policies contained herein, and any other County policies, do not create a contract of employment. Employees may terminate their employment at any time; however, [at minimum](#) two weeks prior notice is requested.

1.6 Applicability

The policies contained in this manual, unless otherwise noted herein, apply to all employees hired under the authority of the Board of Supervisors of Botetourt County. Supplemental policies developed pursuant to the scope and authority of this manual and approved by the County Administrator, are also applicable to Emergency Services employees. To the extent that such supplemental policies differ from provisions of this manual, the supplemental policies shall govern. Such supplemental policies shall be maintained by and available from the County Administrator's Office.

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2. Administration

2.1 Administration of Policies

The County Administrator shall have responsibility for administration of the personnel program established by the Board of Supervisors, and is responsible for the recruitment, selection and appointment of employees as provided for by the Board in the County's approved budget.

2.2 Equal Employment Opportunity

It is the County's policy to employ, retain, promote, assign, compensate, terminate and otherwise treat any and all employees and job applicants on the basis of merit, qualifications and competence. This policy shall be applied according to Federal and State laws governing nondiscrimination in employment and without regard to any other factor except where an individual's sex, age or disability is a bona fide qualification criterion as permitted by law.

2.3 Americans with Disabilities Act

It is the County's policy to follow and comply with the Americans with Disabilities Act (ADA) of 1990, as amended, as well as the ADA Amendments Act of 2008, which protects qualified employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral and other aspects of employment on the basis of disability. The law requires the County to provide qualified employees and applicants with disabilities with reasonable accommodations that do not impose undue hardships or causing a direct threat to workplace safety.

2.4 Recruitment and Selection

The County Administrator, or his or her designee, shall determine the publicity required to obtain a reasonable pool of qualified applicants for each vacancy.

As determined by the Administrator, or his designee, the selection process may include written application, oral interview, written examination, skills assessments, drug/alcohol screenings, criminal background checks, a physical examination and/or a psychological assessment to determine an applicant's ability to perform the work required.

When a vacancy occurs, the Administrator shall determine whether the position shall be filled by promotion within or recruitment from outside the existing County workforce.

Employment, termination, and discipline are the responsibility of the Administrator.

Employee recruitment and retention activities shall be conducted pursuant to the following strategy:

The Botetourt County Board of Supervisors will recruit and retain quality public servants by providing meaningful work, competitive compensation,

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productive work environments, team-oriented working relationships, and recognition of dedicated and meritorious service.

2.5 Work Routine

2.5.1 Work Schedules

The regular workweek will consist of eight hours per day, five days per week. Most employees will be assigned to a work schedule of 8:30 a.m. to 5:00 p.m., Monday through Friday. However, the County can assign employees to other days and hours within the workweek that begins at 12:01 a.m. Sunday and ends at 12:00 midnight of the following Saturday.

Other work shifts, days, hours, and periods can be established and modified by the County within the limits prescribed by law, based on operating conditions and requirements of the County. With approval of the County Administrator, department heads may grant employees the opportunity to work flexible work schedules so long as such a schedule does not diminish operational effectiveness, access or service to the public or other customers, or create an overtime liability that would not otherwise occur.

2.5.2 Punctuality and Attendance

Regular attendance and punctuality are essential for the efficient operation of each department. When an employee must be tardy or absent from work, it is the employee's responsibility to notify his/her department head of unplanned events as soon as possible. When possible, at least ~~one three (3)~~ one (1) day's advance notice shall be provided by the employee of unplanned events. Planned tardies or absences must be requested and approved per County leave policies contained in the "Employee Benefits" section of this manual.

2.5.3 Meal Periods

The County provides and encourages employees to take meal periods as approved by the County Administrator or their department head. The standard meal period is thirty (30) minutes. Employees should not spend mealtime at the workstation and will therefore be relieved of duty entirely during the meal period, except under special conditions approved by their supervisors. Under certain circumstances where it is in the best interest of the County, employees may be required to consume a meal while actively engaged at work, whereupon employees shall be compensated, in pay or compensatory leave, for the meal period if working the period triggers overtime/compensatory leave.

2.5.4 Break Time for Nursing Mothers

In accordance with the provisions of the Federal Affordable Care Act, for a period of one (1) year after the birth of a child, the County is required to provide reasonable breaks for nursing mothers upon request. Contact Human Resources for additional information.

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2-5.42.5.5 Overtime, Callback, and Emergency Work Hours

As circumstances or specific operational needs of the County dictate, it may become periodically necessary for employees to be available for work beyond their daily or weekly work schedule, or to return to work after departing the County premises, following completion of their normal work schedule. Either an extension of the workday or a returned resumption of work activity prior to the next scheduled workday may be treated as overtime for the purpose of eligible employee pay calculations, depending on the number of actual hours worked during the applicable work period. Employees will be compensated: either in the form of pay or accumulation of compensatory time for overtime work hours pursuant to the “Fair Labor Standards Act” section of this manual contained below.

Should an emergency occur, the nature of which affects County operations, employees may be required to work unusual or reduced schedules, or they may be laid off indefinitely.

2-5.52.5.6 Standby Policy

This policy applies to employees, generally in Public Works, Management Information Systems or other who are employed in facilities support positions, whose responsibilities include standby duties in case of emergencies.

Certain employees may be specifically designated and required to be available and ready to work when needed to handle exceptional situations occurring outside of standard working hours. Unless circumstances require otherwise, employees will be scheduled on a rotating basis.

Employees assigned standby duty are not required to remain at their work stations and are free to engage in their own pursuits, subject only to the understanding that they leave word as specified by their supervisor or department head where they may be reached at all times while on standby duty, and, if necessary, report to work promptly as specified by the supervisor or department head. The employee must be fit and available for duty. Therefore, employees already on any form of leave (sick, vacation, compensatory and leave without pay), whether paid or unpaid, or disability are not available for and shall not be compensated for standby duty. Standby duty periods shall be based on departmental needs and shall be determined by the department head. Employees on standby duty must notify their supervisor or department head as soon as possible of any situation or circumstance that would prevent the employee from immediately responding to a work call.

One (1) hour of compensatory time shall be earned by employees for each calendar day of standby duty served. Compensatory time earned for standby duty is not considered active work time and shall not be included in work time calculations for purposes of determining overtime or overtime compensation. Employees required to report for active work duty outside of scheduled work hours shall be compensated in accordance with the

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County's Overtime, Callback, and Emergency Work Hours policy (Section 2.5.4 of the Manual of Personnel Policies).

Employees on standby duty shall respond to work calls according to department policies and procedures. Failure to respond or to comply with department response standards shall result in forfeiture of standby compensation for the applicable calendar day. Further, failure of an employee to respond or to comply with department policies and procedures may result in disciplinary action up to and including termination.

2.6 Employee Responsibilities

2.6.1 Conflict of Interest

In keeping with the Conflict of Interest Act, County employees are prohibited from using information gained while performing their job to further their own personal interests. There may be some County employees who are required to file a statement of their interests as prescribed by County ordinances or state law.

2.6.2 Confidentiality of Records

Many County employees will work in capacities where confidential data concerning the plans and affairs of the department or of individuals will be handled. It is of great importance that employees not discuss such plans or records with persons not authorized to have access to them. If there is a question as to whether the information should be released, then the inquirer should be referred to the appropriate department head or the County Administrator.

2.6.2.1 Protected Health Information

The Health Insurance Portability and Accountability Act (HIPAA) establishes a system of privacy protection for health information. In general, HIPAA provides that a "covered entity" may not use or disclose protected health information (PHI) except as expressly permitted. 45 C.F.R. §164.502(a) A covered entity is either a health care plan, a health care clearinghouse or a health care provider who transmits PHI electronically. Id., §160.102

Botetourt County is not a covered entity; however, in order to ensure the privacy of its employees' medical information, the following policies are to be strictly followed.

Protected health information (PHI) cannot be disclosed or used except where expressly permitted.

In order to comply with these dictates, health information is not to be transmitted in any format to a third party unless otherwise authorized by law or the person about whom the

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information pertains has signed an authorization form and the County Administrator or his designee has authorized it. Authorization forms are available from the Human Resources Office.

All health information *must* be protected. This includes but is not limited to the following:

- Enrollment Applications
- Employment Physicals
- Drug Test Results
- Rescue Call Data

2.6.3 Gifts

County employees are in a position of public trust and cannot accept gifts, gratuities, favors or rewards for any services performed in connection with County employment. In addition, it is unlawful to solicit, offer or accept money or anything of value in exchange for an appointment, promotion, or special privilege with the County. These limitations are not intended to prevent employees from accepting articles of negligible value which are distributed generally. If a question arises concerning a particular situation, an employee should consult the department head or County Administrator.

2.6.4 Outside Employment

While outside employment is not prohibited, such employment requires notice to the County Administrator and must not interfere with the performance of one's job or conflict with one's responsibility to the County. The County Administrator may, in ~~their~~~~his or her~~ sole discretion, require that the employee provide written evidence of the outside employer's current workers' compensation insurance coverage for the employee. If it is determined by the County Administrator or department head that outside employment would diminish the efficient performance of duty, disrupt departmental operations, or create a conflict of interest, or if the employee refuses or cannot provide evidence of workers' compensation insurance coverage if required, the outside employment will not be permitted.

2.6.5 Political Activity

Employees of the County shall serve all County residents equally. The political opinions or affiliations of any resident will in no manner affect the quantity or quality of service received from the County.

An individual's political affiliation, preference, or opinion will in no way influence appointment, retention, or promotion of a County employee. However, employees may not campaign for office for self or others or display campaign posters or solicit campaign funds on County time or on County property, real or personal.

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2.6.6 Personal Appearance Standards

The success of County operations is directly impacted by the image employees project and their conduct. Employees are therefore expected to dress in a manner consistent with the nature of work performed. If there are questions as to what constitutes proper attire, employees should consult with their supervisors. Employees who are inappropriately dressed, in the opinion of their supervisors, may be sent home and required to return to work in acceptable attire, and the period of absence will be treated as unpaid leave.

2.6.6.1 Uniforms, Protective Clothing and Safety Equipment

Those positions requiring uniforms and safety equipment shall be identified by department heads and supervisors subject to approval by the County Administrator. Uniforms, protective clothing and safety equipment shall be provided to County employees for their safety. Those positions requiring uniforms and safety equipment shall be identified by department heads and supervisors subject to approval by the County Administrator. Loss or excessive wear does not relieve the employee of the responsibility to wear uniforms and safety equipment. Uniforms or safety equipment lost or damaged due to the employee's negligence or abuse shall be replaced by the employee at his or her expense.

1. Uniforms and safety equipment shall be utilized as directed. Failure by any employee to comply with use requirements may result in disciplinary action up to and including termination.
2. County uniforms shall never be worn for any jobs other than County employment.
3. Uniforms and protective clothing shall be replaced annually or as otherwise determined by the Department Head.
4. Upon the employee's termination of employment, all County issued uniforms and safety equipment shall be returned to the County unless otherwise determined by an Administrator.
5. All safety shoes worn by County employees shall be classed according to the American National Standard Institute Standard as prescribed by OSHA.
6. Uniforms and safety equipment worn exclusively in the course of County employment do not constitute taxable income to the employee. Any use of uniforms

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or equipment outside of County employment may result in the clothing or equipment becoming taxable to the employee. Any such tax liability shall be the sole responsibility of the employee. Polos, dress shirts and other apparel that could be readily worn outside of work are taxable under IRS regulations.

2.6.7 2.6.7 Personal Use of County Time and Equipment

2.6.7.1 2.6.8 Telephone/Cell Phone

The County provides telephones for all employees who need them to conduct County business and provides cell phones as necessary. At the employee's request and upon the approval of the County Administrator or ~~their~~~~his~~~~her~~~~his~~ or her designee, in lieu of providing a cell phone, the County may pay the employee a stipend for the employee to provide ~~and~~ use a personal cell phone for County business. During periods of leave ~~or disability~~ extending beyond one pay period, cell phone stipends will terminate until the employee's return to work.

The use of County telephones for personal calls should not be made or received that will interrupt or interfere with the employee's work or that of co-workers or either prevent or hinder the use of the telephone for County business. Under no circumstances will personal calls be made or received at County expense.

2.6.7.1.1 ~~Cell Phone~~ Mobile Device Usage While Driving

Employees driving County owned vehicles or personal vehicles while conducting County business should remain alert and not engage in distracting behaviors, such as cell phone ~~or other mobile device~~ usage. Employees shall adhere to all federal, state or local laws ~~regarding cell phone mobile device usage while driving related to the operation of a motor vehicle~~. Should the need arise to either make or accept a call while driving, the employee shall make use of voice activated dialing, hands free speaking device or speakerphone. It is preferable that the employee find a safe place to pull over, place the vehicle in park and then proceed to make or answer the call. Actions expressly prohibited while driving include, tText messaging, checking electronic mail, connecting to the internet, playing video games, or viewing a movie. ~~while driving is expressly prohibited.~~

2.6.7.26.1.1.1 Equipment

Unauthorized removal of County equipment or property from the premises of any County facility or use of County equipment or property for personal reasons is prohibited. Additionally, employees shall utilize County property, tools or equipment in a reasonable manner to assist in the performance of their job duties. Utilization deemed as inappropriate, reckless, abusive, negligent, in violation of standard and customary practices and procedures, or willful misuse of property, tools or equipment may result in disciplinary action up to and including termination of employment.

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2.6.7.36.1.1.2 Identification CardsBadges

County employees are issued photo identification ~~cards~~ badges for business use. ID ~~cards~~ badges shall not be used for personal business or for any business activity that is not part of the employee's regular duties or as assigned. Employee IDs remain the property of Botetourt County and are to be returned to the County upon termination. Alteration or duplication of IDs is prohibited. Human Resources should be notified immediately of lost or stolen IDs.

ID badges are issued with a five (5) year expiration date. A new photo is required with each issuance of an ID badge unless the employee photo on file has been taken within the last two (2) years.

2.6.7.46.1.1.3 Time Theft

The County values each employee and the job they do. It is expected that employees will report to work and make every effort to use time wisely in the completion of assigned duties. Employees shall not use County time for personal reasons. This will be considered time theft and will be treated as such by the individual department head and County Administrator. Accordingly, "personal visits" between departments or offices while working prevents other employees from completing their duties and are considered time theft.

2.6.7.56.1.1.4 Computer Equipment

The County provides a computer and software for all employees who need them to conduct official County business. All computer equipment, hardware and software, is the property of the County. Misuse or inappropriate use of this equipment and/or software may result in disciplinary action.

2.6.7.66.1.1.5 Electronic Mail and Internet

The County provides electronic mail and internet access for employees to facilitate business communications. Employees are strictly prohibited from accessing other employees' electronic messages (emails) or electronic documents without permission or express authorization by an administrator pursuant to a legitimate business purpose. It is expected that employees will not use either electronic mail or internet access to view or transmit messages that could be reasonably interpreted as insulting, demeaning, threatening, hostile, or offensive by other persons. Examples include sexually explicit material, propositions, ethnic or racial slurs or other material that is construed as

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harassment ~~on the basis of one's gender~~. Conduct in violation of these standards may result in disciplinary action up to and including termination.

2.6.7.76.1.1.6 **Personal Blogs/Social Media**

The County respects the rights of employees to exercise personal freedom of speech, ~~through personal blogs; the list is not limited to Facebook, Instagram, LinkedIn, Pinterest, Snapchat, Twitter, or YouTube.~~ However, ~~blogging~~ personal use of social media, blogging or other personal speech activities should not occur during working hours. Any expressions should be the personal view of the employee with no reference to the County or County business. ~~Blogs~~ Personal speech should not include threats, harassment of a coworker or other statements that may be reasonably construed as improper under the guidelines of the County Manual of Personnel Policies. Conduct determined to be in violation may result in disciplinary action up to and including termination of employment.

2.6.8 2.6.8 **Standards of Conduct**

It is the policy of the County to maintain the most harmonious, pleasant, and positive work environment possible and thereby to make work relations an enjoyable experience for all. Employees are therefore expected to conduct themselves in a manner in the workplace which at all times is honest; respectful; courteous; responsive; supportive of co-workers and the public; compliant with established laws, policies, rules, regulations and procedures; and which reflects positively upon the County, its activities and employees. Workplace conduct contrary to these standards may result in disciplinary action up to and including termination of employment. Likewise, conviction of any criminal offense may result in disciplinary action up to and including termination of employment.

2.6.9 2.6.9 **Disciplinary Action**

Depending on the nature and circumstances of employee misconduct, discipline will normally be progressive and bear reasonable relationship to the misconduct. Illustrative types of discipline that may occur include: counseling; verbal reprimand; written reprimand; disciplinary demotion; suspension without pay; and discharge.

2.6.9.1 2.6.9.1 **Notice**

When the discipline contemplated is more than counseling or an oral reprimand, the County shall give the employee written notice of the charges (referred to as a Notice of Intent) against ~~them~~ him/her/him or her and ~~notice~~ of the intent to take disciplinary action.

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The notice should also advise the employee of the employee's right to present their/his/her/his or her-side of the matter, in writing or in person. The provisions of this section do not apply to employees in their initial period of employment.

2.6.9.2 2.6.9.2 Procedure

- The disciplining supervisor should consult with an Administrator prior to initiating disciplinary action. This does not apply to management actions taken to protect property or personnel or public safety or to prevent the continuation of employee misconduct.
- If the supervisor determines that disciplinary action is appropriate, he or /she shall, unless deemed impractical or inappropriate, notify the employee of disciplinary action through a face-to-face meeting.
- The County Administrator or other administrative staff in the employee's chain of command may also participate in or conduct the meeting.

2.6.9.3 2.6.9.3 Documentation

- As practicable and appropriate, disciplinary action is to be documented in writing by the disciplining supervisor and/or an administrator. When applicable, the document should also provide clear instruction as to the supervisor's expectations of the employee, and any applicable timelines by which the employee is required to demonstrate compliance.
- ~~Ins~~ Insofar as practicable, the disciplinary document is to be submitted to the employee for his/her signature and dating acknowledging his/or her notification of its content.
- Original copies of all written disciplinary documentation shall be sent to Human Resources for placement in the employee's personnel file.

2.7 2.7 Initial Period of Employment

2.7.1 2.7.1 Definition

The work and conduct of an employee during the first six months of the original appointment or re-appointment is considered a working test period or initial period of employment. During this time, an employee is required to demonstrate his or her fitness to the duties of the position and suitability as an employee of the County. An employee may be dismissed at any time during the initial period of employment and shall have no right of appeal, except where discrimination is claimed. Those employees with charges of discrimination shall have the right of appeal through the grievance procedure. Upon successful completion of the initial period of employment, the employee will become a regular employee.

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2.7.2 2.7.2 Evaluation

Employees in the initial period of employment will be evaluated by their supervisors after three months from the date of employment and written documentation of the evaluation will be placed in the individual's personnel file. This evaluation is intended to give both the employee and the supervisor the opportunity to discuss their working relationship and make improvements. The employee in the initial period of employment will be evaluated again one week prior to the completion of the six-month period. During the evaluation, the supervisor has the option to transfer this employee to regular employment after completion of the initial period, to extend the initial period if approved by the County Administrator, or to terminate this employee if approved by the County Administrator.

2.7.3 2.7.3 Benefits

Full-time employees in the initial period of employment may accrue both annual leave and sick leave at the prescribed rates. During the initial period of employment the employee may use sick leave, if necessary, after it has accrued. Likewise, during the initial period of employment the employee may use compensatory leave, if earned, as approved by ~~his/her~~ ~~their~~ ~~his or her~~ supervisor. Annual vacation leave may not be used by employees during the initial period of employment. Health and Dental insurance benefits are effective first of the month following completion of a 30-day waiting period from the date of employment. ~~All other benefits such as VRS life insurance, VRS retirement will be effective the first full month of employment. VRS has three (3) retirement plans for which they set the participation requirements; Plan 1 is for employees hired prior to July 1, 2010 either by the County or another VRS participating employer; Plan 2 is for employees hired July 1, 2010 or later either by the County or another VRS participating employer; the Hybrid plan is for employees hired for positions other than public safety on or after January 1, 2014. Public Safety employees fall under Plan 2 even if hired after January 1, 2014.~~

~~plan and~~

~~the 457(b) Deferred Compensation plan and the Roth IRA are secondary retirement options available to employees who fall under VRS Plan 1 and Plan 2. plan will be~~ Eligibility begins with ~~effective~~ the first full month of employment ~~and does require action from the employee to enroll in either program. Hybrid Plan participants have the option of participating in the Hybrid 457(b) Deferred Compensation plan after meeting threshold participation requirements under the Hybrid retirement plan.~~

~~VRS life insurance is effective from the first day of employment. VRS also offers an Optional life program which allows an employee to purchase additional life insurance from one (1) to four (4) times their salary.~~

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~~2.8~~ **2.8 Pay**

County employees are paid once each month on the last working day of the month. Salary levels will be determined and adjustments made in accordance with the County's pay and performance appraisal plan.

~~2.9~~ **2.9 Overtime**

Employees subject to the Fair Labor Standards Act must receive payment or compensatory leave for all work performed beyond 40 hours in a week. Such payment must be at a rate of time and one half (whether cash or compensatory leave). Such compensatory leave cannot be accumulated beyond 240 ~~over-time~~ leave hours. ~~(160 overtime hours worked X 1 1/2 = 240 overtime hours).~~

Executive, administrative, and professional employees are exempt from the Fair Labor Standards Act.

Detailed provisions for the administration of provisions of the Fair Labor Standards Act as it applies to employees of Botetourt County are included within the "Overtime/Compensatory Time" (Section 5.8).

~~2.10~~ **2.10 Part-Time and Temporary Employees**

Such employees are usually hired for a particular length of time and are paid on a monthly basis. It is the responsibility of the department head, with the approval of the County Administrator, to inform the employee, upon hiring, what type of appointment he or she will have.

Part-time and temporary employees are not eligible for the benefits received by the regular employee, except that permanent part-time employees (whose employment is for an indefinite period):

- Shall receive full pay for half of each paid holiday period; and
- May participate in the County's 457 deferred compensation program, without the County match per VRS regulations.

In accordance with provisions of the Federal Affordable Care Act, County group medical insurance benefits are offered to any Board of Supervisors employee whose total work time over a twelve (12) month period equals or exceeds an average of thirty (30) hours per week. Total work time calculations and the twelve (12) month period over which it is reported are determined by Human Resources in conformance with provisions of the Act. Medical benefits do not include dental insurance benefits. For more information, contact Human Resources.

It is the responsibility of the department head, with the approval of the County Administrator, to inform the employee, upon hiring, what type of appointment he or she will have.

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~~2.12~~ 2.11 **Travel Reimbursement**

Those employees required to travel in connection with their work will be reimbursed for their travel expenses. The County Administrator may establish eligible costs and maximum reimbursement rates and amounts for travel expenses.

~~2.12.1~~ 2.11.1 **Private Vehicles**

Those employees using their own vehicle for work-related travel must keep a record of beginning and ending odometer readings, or by use of a trip meter. Upon completion of County business travel, the mileage must be submitted to the County Bookkeeper. Reimbursement will be at the then current rate established by the County Board of Supervisors, and will be on a monthly basis unless otherwise authorized by the County Administrator.

~~2.12.2~~ 2.11.2 **County Vehicles**

County vehicles will be refueled at the County fueling station whenever possible. Holders of fuel credit cards may utilize them as circumstances require. Employees may also pay with personal funds and be reimbursed on a monthly basis upon submission of an approved reimbursement request and receipt to the County Bookkeeper.

The primary driver of a County vehicle is responsible to ensure the proper routine maintenance, care, and repairs of his or her vehicle. The Central Garage should be used for available services and should be contacted for maintenance and care information.

~~2.12.3~~ 2.11.3 **Vehicle or Equipment Accidents**

In the event of an accident in either a County or private vehicle in County use, the employee should report the accident to a law enforcement officer(s) and collect personal contact, vehicle and insurance information from any other involved drivers.

The employee should not make or sign any statement admitting or denying responsibility. The employee should not make or sign any statement regarding his or her physical condition except to medical personnel. The employee should not talk with any party other than law enforcement personnel and his or her supervisor about the facts of the accident. Under no circumstances should the employee talk with any representative of the media.

The employee must report all accidents, no matter how minor, to his or her supervisor as soon as possible.

In the event of an accident while operating a County owned vehicle or piece of equipment or while operating a privately owned vehicle or piece of equipment in performance of County business the employee shall be required, at County expense, to submit to a drug

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and alcohol screening where there is ~~either property damage or~~ personal injury and/or reasonable ground to suspect improper or illegal drug and/or alcohol use.

2.12.4 2.11.4 Other Travel Expenses

Those employees required to travel overnight may request advance funds. These may be obtained by submitting an advance request to the County Administrator. Employees may choose to be reimbursed for travel expenses. Receipts must be submitted when returning from travel, or requesting reimbursement.

All travel and related expenses are subject to prior authorization by the Deputy County Administrator or the County Administrator. Expenses not authorized prior to travel may be denied for cause, in which case the expenses shall be the sole personal responsibility of the employee.

2.13 2.12 Inclement Weather Policy

2.13.1 2.12.1 General

Employees are responsible for reporting to work on time regardless of weather conditions with exceptions as provided below. When conditions exist, such as snow, ice or other storms that cause transportation or reporting to work problems, the employee must contact his or her immediate supervisor. If in the supervisor's opinion, the employee is not required, the supervisor may permit the employee to take annual leave or compensatory time as appropriate. If the employee is required to work during times of inclement weather, all time absent will be without pay. No employee will be granted leave if it requires another employee to work overtime, unless approved by that department head or the County Administrator.

2.13.2 2.12.2 Extreme Weather Conditions

In extreme weather conditions, some or all County offices may be closed or their opening delayed, as determined by the County Administrator. When this occurs, ~~the local radio media stations-outlets will announce-be notified of~~ the delay or closing. ~~Delay and closing information will also be recorded on the County's website and main switchboard message service that can be reached by calling 473-8220. Delayed opening and/or closing information will be posted on the County website.~~ If an employee believes that his/her personal safety would be at risk by reporting to work, he or /she may notify his or /her supervisor immediately and take annual vacation leave or compensatory time instead of reporting for work that day. If annual vacation leave or compensatory time is not available to the employee, he/she may take leave without pay. Appropriate leave forms must be completed on the next day that the employee reports to work.

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~~2.13.3~~ 2.12.3 Essential Personnel

Essential personnel are those employees who must report to work during inclement weather, regardless of authorized closings. A roster of essential personnel shall be ~~posted~~ and maintained by the County Administrator in his/her/their his or her office and available from Human Resources.

~~2.13.4~~ 2.12.4 Non-Essential Personnel

Employees who are not considered essential personnel will not be required to report to work and will not be penalized during authorized closings. Employees other than essential personnel that do report during authorized closings will not be credited with compensatory time unless authorized or approved by the department head or the County Administrator.

~~2.14~~ 2.13 Nepotism

It is the policy of the County not to place immediate family members in a supervisor-subordinate relationship within the same department, regardless of the working relationship. The immediate family shall include: spouse; children (including step, foster and in-laws); siblings (including step); parents (including step); grandparents (including step); grandchildren (including step) of the employee and his/her spouse; and any other person living in the same household as the employee.

~~2.15~~ 2.14 Smoking Tobacco Use

In the interest of public health, safety, welfare and protection of County property, it is the policy of the County that smoking ~~and~~, the use of other tobacco products, electronic cigarettes and/or other vaping devices is allowed in designated areas of employee worksites. No ~~smoking, or othersmoking, other~~ tobacco ~~use~~products, electronic cigarettes or other vaping device use is permitted inside any worksite building or in County vehicles. This policy is applicable to employees of the County, State and Constitutional offices and the general public alike.

Violations of this policy will result in appropriate disciplinary action by the County Administrator in cooperation with Constitutional officers and State office managers where appropriate.

~~2.16~~ 2.15 Drug and Alcohol Abuse Policy

~~2.16.1~~ 2.15.1 Purpose

The County is committed to the safety and well-being of its employees and the public it serves. It is the County's intent to establish and maintain a work force and work environment free from the adverse effects of alcohol and controlled substances, and to comply with the requirements of the Federal Drug-Free Workplace Act.

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Employees reporting to work must be able to perform their assigned duties safely and competently; employees must be free from the effects of alcohol or controlled substances, which impair judgment and job performance, and may result in accident or injury to self, other employees, or the general public. This policy is intended to support the County's commitment to provide services to the public with a qualified, capable, and fit-for-duty workforce.

Any employee who has a substance abuse problem may, at any time, elect to obtain assistance for his or her problem by admission to a drug or alcohol abuse treatment program. Employees are strongly urged to seek such assistance before their problem becomes a matter of public knowledge or has affected his or her ability to effectively perform his or her job responsibilities.

2.16.2 2.15.2 Prohibitions

The manufacture, distribution, dispensation, possession, purchase, sale, or use of alcohol or a controlled substance in the workplace is prohibited. Employees found in possession of, or under the influence of alcohol, or controlled substances not legally prescribed by their physicians, shall be subject to disciplinary action, up to and including dismissal, in addition to facing possible legal consequences.

The possession, use (unless in administering a controlled substance prescribed by a physician), gift, distribution, or sale of a hypodermic syringe needle or other instrument or implement prohibited by Article 7 of the Drug Control Act, is likewise prohibited, and employees are cautioned that simple possession of such paraphernalia while in the workplace is prohibited and cause for disciplinary action, up to and including dismissal.

2.16.3 2.15.3 Responsibilities

2.16.3.16.1.1.7 Employees

Employees shall notify their supervisors in writing, no later than three calendar days following a conviction, if convicted of violating:

- A criminal drug law, based on conduct occurring in or away from the workplace; or
- An alcoholic beverage control law or law that governs driving while intoxicated based on conduct occurring in the workplace.

Employees shall report any conduct of other employees that appear in violation of this policy to their supervisors.

All County employees shall provide full assistance to legal authorities in investigating and prosecuting charges of illegal drug-related activity by County employees.

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2.16.3-26.1.1.8 Management

Each supervisor and department head has the responsibility to immediately report violations, as well as any reasonable evidence to suspect that an employee is manufacturing, distributing, dispensing, in the possession of or is under the influence of alcohol or a controlled substance to the County Administrator. The supervisor or department head and the County Administrator shall work together to investigate the possible violation, obtain the facts, and determine appropriate action.

The County Administrator shall notify any granting Federal agency within five days after receiving notice from an employee or otherwise receiving actual notice of a criminal law conviction against an employee for conduct occurring within the workplace and in connection with that Federal agency's grant.

Department heads and supervisors shall assist in ensuring that the workplace is free of controlled substances and that their departments meet the requirements of the Drug-Free Workplace Act.

2.16.4 2.15.4 Screening

In an effort to identify and eliminate controlled substance/alcohol abuse, which affects an employee's ability to safely and competently perform his/her duties, urinalysis and blood tests and breathalyzers may be used where there is a reasonable ground to suspect improper or illegal drug and/or alcohol use.

Candidates selected to fill positions which are classified as high risk positions, public safety positions, or jobs requiring the regular and routine operation of County vehicles or other motorized equipment, will be required to complete a drug/alcohol test prior to employment with the County.

All County employees in positions which are classified as high risk or public safety positions, and all County employees who are subject to the Commercial Drivers License Program (who are required to drive a 26,000 pound or greater vehicles as part of their County duties) will be required to undergo a periodic random drug/alcohol screening process as outlined below.

2.16.4.1 2.15.5 Conditions and Procedures

Screening of employees may take place under any of the following conditions:

- Change in Position. Employees who are being transferred, promoted, or demoted may be required to complete a drug screening prior to appointment.
- Reasonable Cause. Testing may occur when the employee's work performance is impaired and workplace behavior indicates that an employee is

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under the influence of drugs/alcohol. Such behavior must be witnessed by at least one supervisor.

- Post-Accident. Following any on-duty accident which causes either property damage or personal injury, or where supervisors have reasonable suspicion to believe that the involved employee(s) is under the influence of, has been using, or is in possession of alcohol or controlled substances in violation of this policy.
- Random. Employees who are in positions as outlined in the above section will be required to undergo periodic random screenings. Human Resources or Supervisor(s) will notify those employees randomly selected by the lab. When notified, the employee should report directly to the testing ~~sight~~ site within the hour.

Any employee who is relieved of duty due to reasonable suspicion of alcohol or drug abuse shall not be permitted to operate a County vehicle or County equipment. Every attempt shall be made to locate a family member or friend to transport the employee. If this is unsuccessful, a co-worker may drive the employee home or other transportation may be arranged at the County's expense.

Any employee who routinely drives a County vehicle/equipment and who tests positive for alcohol/drug use shall be immediately disqualified from driving and taken off the road.

2.16.5 2.15.5 Discipline

Employees performing work while impaired by alcohol and/or drugs, and employees refusing to participate in or absenting themselves from a drug or alcohol screening test required by this policy shall be subject to disciplinary action, up to and including dismissal.

2.17 2.16 Discrimination, Harassment, Retaliation and Workplace Romance Policy

2.17.1 2.16.1 Purpose

It is the policy and intent of the Botetourt County Board of Supervisors to provide a professional, businesslike work environment free from all forms of discrimination and harassment, including race, color, gender/sex (whether or not of a sexual nature), religion, national origin, age or disability. Retaliation for opposition to prohibited discrimination/harassment or participation in the complaint process will not be tolerated. The County will exercise reasonable care to prevent or correct promptly any discriminatory or harassing behavior on the part of any of its employees. It is also the intent of this policy to provide clear guidance and guidelines regarding supervisor-subordinate relationships.

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~~2.17.2~~ 2.16.2 **Discrimination, Harassment and Retaliation Prohibited**

Any and all forms of unlawful discrimination and/or harassment, including sexual harassment, are strictly prohibited. Retaliation against persons who oppose unlawful discrimination and/or harassment or participate in the complaint process is prohibited. Most people recognize discrimination and harassment based upon race, color, religion, national origin, age and disability, but ~~are~~isare sometimes confused with regard to harassment based upon gender/sex. Thus, while this policy applies to all forms of discrimination and harassment, examples of harassment based upon gender/sex are provided below.

Sexual harassment is unwelcome conduct based upon gender that is a term or condition of employment. It is discriminatory treatment on the basis of gender that is so objectively offensive as to alter the conditions of employment. An alteration of conditions can be either provision of or deprivation of job benefits based upon a response to unwelcome sexual demands or conduct that creates an intimidating, hostile, or offensive work environment even if there is no tangible job action.

The behavior can be written, verbal or physical and may be but need not be sexual in nature. Harassment may occur between co-workers or between supervisors and subordinate employees. It may sometimes occur between a non-employee and an employee. Examples of ~~sexual~~ harassment could include, but are not limited to, the following:

- Derogatory statements because of one's gender;
- Offensive and/or inappropriate touching of another;
- Offensive and/or inappropriate written materials or photos;
- Offensive and/or inappropriate audio materials;
- Sexual comments or gestures;
- Questioning another about [race, color, religion, national origin, age, disability or sex](#); -and
- ~~Jokes-jokes~~ of a sexual nature.

~~2.17.3~~ 2.16.3 **Complaints and Resolution**

~~2.17.3.1~~ 2.16.3 **Complaint Procedures**

Any employee ~~who experiences~~ experiencing discrimination, harassment, or retaliation should clearly state to the offending party that such behavior is offensive to ~~them~~him or her. The employee should also immediately notify his or her immediate supervisor. If the offending party is the employee's supervisor, the employee should immediately notify ~~his or her~~ theirhis or her supervisor's superior. Reports may also be made directly to the County Administrator. If the conduct involves the County Administrator, the report may be presented to Human Resources. If an employee makes a complaint to the supervisor

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and the supervisor takes no action, the employee should report directly to the County Administrator.

No employee shall be retaliated or discriminated against or in any other manner suffer professionally as a result of his or her filing any bona-fide complaint under this policy.

2.17.3.26.1.1.9 Investigation

Supervisors shall immediately report any complaint of discrimination, harassment, whether sexual or otherwise, or retaliation to the County Administrator. All complaints of discrimination, harassment or retaliation will initiate a prompt and impartial investigation that will remain confidential to the extent possible given the circumstances. The investigation will be documented, including, but not limited to, statements of all parties involved, including the complainant, the accused and witnesses, if any.

2.17.3.36.1.1.10 Disciplinary Action

The County will take prompt and appropriate corrective action when it is determined that discrimination, harassment or retaliation has occurred. Violation of this policy may be grounds for disciplinary action, up to and including termination [of employment](#).

2.17.46.1.2 Supervisor-Subordinate Relationships

In the interest of preventing sexual harassment, favoritism, and indiscreet conduct in the workplace, the following policies govern all supervisor-subordinate relationships among Botetourt County employees:

2.17.4.16.1.2.1 Notification of Romantic Relationships

If an employee becomes involved in a romantic relationship with his or her supervisor or a subordinate, the employee shall promptly disclose the relationship to the County Administrator. The County Administrator shall investigate the relationship to ensure that it is voluntary and consensual.

If favoritism, indiscreet conduct or harassment is suspected, it will be investigated in accordance with the County's discrimination, harassment and retaliation policy.

2.17.4.26.1.2.2 Discontinuation of Reporting Association

In no event shall a supervisor-subordinate working relationship be maintained where a romantic relationship exists between a supervisor and subordinate. The County Administrator shall, in consultation with the parties, determine the best method of discontinuing the reporting association between the parties. If transfer of one of the parties is involved, the County Administrator shall use ~~his or her~~ ~~their~~ ~~his or her~~ best effort to ensure it shall be done with the transferred party's consent and shall not result in reduction in opportunity for the transferred party.

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2-186.2 Grievance Procedure

2-18.16.2.1 Policy

The most effective accomplishment of the work of the County requires prompt consideration and equitable adjustment of employee grievances. It is the desire of the County to adjust grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances that will be resolved only after formal appeal and panel review.

2-18.26.2.2 Definition of Grievance

A grievance shall be a complaint or dispute by an employee relating to his employment, including but not necessarily limited to:

- a) disciplinary actions, including dismissals, disciplinary demotions, and suspensions, provided that dismissals shall be grievable whenever resulting from formal discipline or unsatisfactory job performance;
- b) the application of personnel policies, procedures, rules and regulations, ordinances, and statutes;
- c) discrimination on the basis of race, color, creed, religion, political affiliation, age, disability, national origin or sex; and
- d) acts of retaliation as the result of the use or participation in the grievance procedure or because the employee has complied with any law of the United States or of the Commonwealth of Virginia, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly of Virginia, has reported an incidence of fraud, abuse, or gross mismanagement, or has reported a violation of the Personnel Policy to his/her supervisor or other County authority.

2-18.36.2.3 Management Responsibilities; Non-Grievable Complaints

The County retains the exclusive right to manage the affairs and operations of government. Accordingly, the following complaints are non-grievable:

- a) establishment and revision of wages or salaries, position classification or general benefits;
- b) work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be a part of the job content;
- c) the contents of ordinances, statutes or established personnel policies, procedures, rules and regulations;
- d) failure to promote except where the employee can show that established promotional policies or procedures were not followed or applied fairly;
- e) the methods, means and personnel by which work activities are to be carried on;

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- f) except where such action affects an employee who has been reinstated within the previous six months as the result of the final determination of a grievance, termination, layoff, demotion or suspension from duties because of lack of work, reduction in work force, or job abolition;
- g) the hiring, promotion, transfer, assignment and retention of employees within the County government; and
- h) the relief of employees from duties of the County government in emergencies.

In any grievance brought under the exception to provision (f) above, the action shall be upheld upon a showing by management that: (i) there was a valid business reason for the action, and (ii) the employee was notified of the reason in writing prior to the effective date of the action.

2.18.46.2.4 Coverage of Personnel

All County government permanent full-time and permanent part-time employees who have successfully completed their initial period of employment are eligible to file grievances with the following exceptions:

- a) Appointees of elected groups or individuals;
- b) Officials and employees who by law serve at the will or pleasure of an appointing authority;
- c) Deputies and executive assistants to the County Administrator;
- d) Department heads, agency heads and chief executive officers of government operations;
- e) Elected officials;
- f) Temporary, limited term and seasonal employees; and
- g) Any other employee electing to proceed pursuant to any other existing procedure in the resolution of his or her grievance.

Subject to the provisions of the above paragraph, the County Administrator or his or her designee shall determine the officer and employees excluded from the Grievance Procedure and shall be responsible for maintaining a current list of positions excluded from the Grievance Procedure.

Constitutional Officers' employees shall not have access to the County's Grievance Procedure unless their inclusion in the Grievance Procedure is agreed to in writing by both the Constitutional Officer and the County.

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2.18.56.2.5 Procedures

The following steps shall be followed by all eligible employees in pursuing a grievance:

Step 1. Within twenty calendar days following the event giving rise to the grievance, the employee shall present his grievance orally to his immediate supervisor (even if the immediate supervisor is a department head), The immediate supervisor shall hold a meeting with such employee for informal discussion of the employee's complaint within five (5) work days of the report of grievance, and within five (5) work days from the meeting, the immediate supervisor shall communicate, either orally or in writing, to the employee the immediate supervisor's response to the employee's complaint. If the supervisor fails to respond within five (5) work days or if the employee is not satisfied with the supervisor's response, the employee may proceed to Step 2. The only persons who may be present at the Step 1 meeting are the grievant, the supervisor, and appropriate witnesses. Witnesses shall be present only while actually providing testimony.

Failure to request the informal meeting with the immediate supervisor within the time specified in this section shall be a bar to this Procedure.

Step 2. If the employee is not satisfied with and does not accept the Step 1 response, or if the immediate supervisor fails to respond within the required time frame, and the employee wishes to proceed to Step 2 of this Procedure, the employee shall submit his grievance in writing on the form provided for the purpose by the Department of Human Resources and shall file the form with the employee's department head, with a copy to the Department of Human Resources, within five (5) work days following his immediate supervisor's response or the deadline for such response, whichever occurs first.

The grievance shall fully set forth the date on which he or she advised the immediate supervisor of the grievance, the nature of the grievance and the specific relief sought by the employee. The grievant shall specify facts sufficient to show that the complaint is grievable, that the grievant is covered by the procedure, and that the grievance is timely. The department head shall meet with the employee within five (5) work days following receipt of the written grievance. Within five (5) work days from the meeting, the department head shall inform the employee in writing of his decision. The only persons who may be present at the Step 2 meeting are the grievant, the supervisor, and appropriate witnesses. Witnesses shall be present only while actually providing testimony.

A copy of the decision of the department head shall be forwarded to the Department of Human Resources by the department head.

Step 3. If the employee is not satisfied with and does not accept the Step 2 response, or if the department head fails to respond within the required time frame, and the employee wishes to proceed to Step 3 of this Procedure, the employee shall file the written form requesting a meeting with the County Administrator, with a copy to the Department of Human Resources, within five (5) work days following receipt of the decision of the department head or the deadline for such response, whichever occurs first. The County Administrator shall meet with the employee within five (5) work days after receipt of the

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request. Persons present at this meeting are the employee, the County Administrator, appropriate witnesses, and, at the employee's option, a representative of his or her choice. If the employee is represented by legal counsel, the County likewise has the option of being represented by counsel. The County Administrator shall give the grievant a response within five (5) work days following the meeting. A copy of the decision of the County Administrator shall be forwarded to the Department of Human Resources.

Step 4. If the employee is not satisfied with and does not accept the Step 3 response, or if the County Administrator fails to respond within the required time frame, and the employee wishes to proceed to a panel hearing, the employee shall file the written form requesting a panel hearing with the County Administrator, with a copy to the Department of Human Resources, within five (5) work days following receipt of the decision of the County Administrator or the deadline for such response, whichever occurs first. A copy of the written decision of the department head and the County Administrator shall be attached to the request.

The panel shall consist of one member selected by the aggrieved employee, one member selected by the department head, and one member selected by agreement of the other two members, which third member shall be chair of the panel.

If the first two panel members cannot agree on a third member, the chief judge of the circuit court of Botetourt County shall appoint the third panel member. Such panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel or with the complaint or dispute giving rise to the grievance.

Managers who are in direct line of supervision of a grievant, persons residing in the same household as the grievant, and the following relatives of a participant in the grievance process or a participant's spouse are prohibited from serving as panel members: spouse, parent, step-parent, child, step-child, descendants of a child, sibling, step-sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of such an attorney shall serve as a panel member.

2.18.66.2.6 **Qualifications for a Panel Hearing; Grievability**

Decisions regarding grievability and access to the procedure shall be made by the County Administrator, or his designee. Only after the County Administrator, or his designee, has determined that a complaint is grievable may a grievance be advanced through Step 3 of this Procedure. When the question of grievability arises at an earlier step, or whenever the question of access to this procedure arises, management or the grievant may request a ruling on grievability or a ruling on access, as the case may be, by the County Administrator. The County Administrator or his designee shall render a decision within ten (10) calendar days of receipt of the request. Neither the County Attorney nor the Commonwealth's Attorney shall be authorized to decide the issue of grievability. A copy

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of the ruling shall be sent to the grievant, the department head and the Department of Human Resources. Such decisions may be appealed to the County circuit court for a hearing on the issue of whether the matter is grievable, whether or not the grievant is covered by the Procedure, and whether or not the grievance is timely. Proceedings for review of the decision shall be instituted by the grievant by filing a notice of appeal with the County Administrator within ten (10) calendar days from the date of receipt of the decision and giving a copy thereof to all other parties. Within ten (10) calendar days thereafter, the County Administrator, or his designee, shall transmit to the clerk of the court to which the appeal is taken: a copy of the decision of the County Administrator, a copy of the notice of appeal, and the exhibits. A list of the evidence furnished to the court shall also be furnished to the grievant. The failure of the County Administrator or his designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a writ of certiorari requiring the County Administrator to transmit the record on or before a certain date.

Within thirty (30) calendar days of receipt of such records by the clerk, the court, sitting without a jury, shall hear the appeal on the record transmitted by the County Administrator or his designee and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The decision of the court shall be rendered no later than the fifteenth day from the date of conclusion of the hearing. The decision of the court is final and may not be appealed.

2.18.76.2.7 Rules for Panel Hearings

- Panel hearings are intended to be informal, administrative proceedings, not judicial proceedings with the formalities of court proceedings.
- Panels do not have authority to:
 - formulate policies or procedures or to alter existing policies or procedures;
 - circumscribe or modify the rights of the County as outlined in this Procedure;
 - exonerate an employee from all discipline when the guilt of the employee is admitted or is shown by the greater weight of the evidence; or
 - grant relief greater than that which the grievant has requested in the grievance forms.
- Panels do have the discretion to determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing, and, at the request of either party, the hearing shall be private in accordance with the Virginia Freedom of Information Act.
- Prior to the hearing, copies of the grievance record shall be provided to the panel by the County. At the same time, a list of the documents furnished to the panel shall be provided to the grievant and the administration. At least ten (10) calendar days prior to the scheduled panel hearing, the grievant and his or her attorney and the

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administration and its attorney shall, upon request, be allowed access to and copies of all relevant files each intends to be use in the panel hearing

- Documents, exhibits, and lists of witnesses shall be exchanged between the grievant and administration at least ten (10) calendar days in advance of the panel hearing, unless otherwise agreed by the parties or their counsel.
- Panels have the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence. All evidence, when admitted, shall be marked and made part of the record.
- Both the grievant and the respondent may call upon appropriate witnesses and be represented by legal counsel or other representatives at the panel hearing. Such representatives may examine, cross-examine, question and present evidence on behalf of the grievant or respondent before the panel.
- All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties. The grievant shall present his or her evidence first, followed by the presentation of evidence by the administration.
- Following presentation of the evidence, the panel may declare the hearing closed and may deliberate in closed session in appropriate cases.
- Panel decisions shall be provided in writing by the panel chair to all parties not later than fourteen (14) calendar days following the conclusion of the panel hearing.
- The panel may vary the details of the hearing procedure to facilitate fair and expeditious hearings, with the understanding that the hearings are not intended to be conducted like proceedings in courts, and that rules of evidence do not necessarily apply.
- The hearing may be reopened by the panel on its own motion or upon application of a party for good cause shown at any time prior to the issuance of the panel decision.
- The majority decision of the panel, voting in open session and acting within the scope of its authority, shall be final and shall be consistent with provisions of law and existing written policies.
- The question of whether the relief granted by a panel is consistent with written policy shall be determined by the County Administrator, or his designee, unless such person has a direct personal involvement with the event or events giving rise to the grievance, in which case the decision shall be made by the attorney for the Commonwealth of the County. This decision shall be final and not subject to appeal.

2.18.86.2.8 Implementation of Panel Decisions

Either party may petition the County circuit court for an order requiring implementation of the panel decision.

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2.18.96.2.9 Compliance

Any time limit in the Procedure, except the time to initially bring a grievance to the attention of the immediate supervisor, may be waived by mutual agreement at the step in question.

After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure, including the panel hearing, without just cause, shall result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within five (5) work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the County Administrator, or his designee.

The County Administrator, or his designee, at his option, may require a clear written explanation of the basis for just cause extensions or exceptions. The County Administrator, or his designee, shall determine compliance issues. Such compliance determinations shall be subject to judicial review by filing a petition with the circuit court within thirty (30) calendar days of the compliance determination.

2.18.106.2.10 Costs

The grievant must bear any costs involved in employing representation or in preparing or presenting his or her case.

2.17.11 Recording; Transcript of Panel Hearing

The use of recording devices or a court reporter is not permitted at any Step of this Procedure until the panel hearing. Upon request, the County shall cause a transcript to be made of any panel hearing, and a transcript shall be provided to either party upon request. The party requesting the transcript shall do so in writing and shall pay the expense of preparing such transcript.

3.7. Classification of Positions

3.17.1 Pay and Classification Plan

A classification plan has been established and is maintained and filed within the office of the County Administrator. The County Administrator shall make all assignments of positions to classes and of classes to grades, and this authority may not be delegated. Positions that are sufficiently alike in duties and responsibilities will be accorded the same pay scales. The County Administrator shall allocate each position covered by the classification plan to its appropriate pay schedule.

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3.27.2 Maintenance of Plan

Department heads shall be responsible for bringing to the attention of the County Administrator any material change in the nature of duties, responsibilities, working conditions or other factors affecting the classification of any position. Following receipt of such information he or she shall evaluate the position and determine if the classification should be changed.

The County Administrator shall be responsible for the allocation of new positions, which are under the control of the Board of Supervisors, to an existing class or will cause new classes to be established as needed, subject to review and approval of the Board of Supervisors.

4.8. Pay and Performance Plan

4.18.1 Objective

The County pay and performance plan is intended to provide for the efficient and equitable administration of employee compensation while encouraging top performance, promoting employee morale, and increasing communication between employees and supervisors.

4.28.2 Administration

The County pay and performance plan is the official pay plan for all employees under the general jurisdiction of the County Administrator and Board of Supervisors, and is formally adopted annually by the Board. The plan is maintained and filed within the office of the County Administrator.

4.2.18.2.1 Pay Plan

The pay plan is intended to serve the dual purpose of providing for employee compensation and to provide a forum of formal goal setting and supervisor-employee performance evaluation.

The overall management of the plan rests with the County Administrator, but it is the responsibility of each employee, both supervisor and employee, to participate in the plan to ensure its implementation and proper administration.

The plan provides for a formal pay range for each position classification. Each permanent full-time employee and part-time employee shall be assigned, by the County Administrator, a position classification and a compensation level within the position classification range. The position classification shall reflect the duties and responsibilities of the job. The level within the range shall reflect a combination of the length of service, relative experience, and level of performance of the individual filling the position.

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The movement of employees within range of the position classification shall be based on longevity, experience, and performance with pay levels to be determined by the County Administrator within the constraints of Board appropriated funds.

The Board will annually review the ranges and determine whether to adjust the entire range for inflation. The County Administrator will recommend appropriate inflation adjustments based on formal indices.

Once an employee reaches the top of the range in his or her position classification, then that employee is only eligible for cost-of-living adjustments approved by the Board. In a case of outstanding performance, additional compensation above top level may be provided if specifically approved by the Board.

The County Administrator will from time to time review the position classifications of various jobs to ensure that the job duties and responsibilities are in line with the range of compensation for the position.

Normally, pay level adjustments will be made with the implementation of a new fiscal year, however, under unusual circumstances of performance, or in the case of a new employee hired on a probationary basis, adjustments may be made during the year if Board appropriations are existing or specifically approved.

4.2.28.2.2 Performance Appraisals

Each employee and his or her supervisor shall have at least one formal goals and objectives or performance expectation planning session and one formal performance evaluation session during the year. The intent of this plan is not to limit such sessions to one each, but to mandate at least one, and allow as many as may be appropriate for the individuals and the job responsibilities involved.

The result of the performance expectations planning session should at a minimum include a mutual listing of key objectives or expected level of performance for the upcoming year.

The result of the performance evaluation session shall at a minimum produce a written correspondence to the County Administrator indicating that the evaluation took place and what the general level of performance was for the evaluation period. The correspondence shall be signed by the supervisor and the employee and shall be on a standard form provided by the County. If the employee disagrees with any portion of the performance appraisal report, he or she may so note it when signing the appraisal report. The appraisal correspondence, or report, will become a part of the employee's personnel records and will be considered in pay plan implementation.

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5.9. Employee Benefits

5.9.1 Holidays

Any day declared as a legal holiday by the Board of Supervisors, the Governor of the Commonwealth of Virginia, or the President of the United States shall be observed as an official holiday and offices shall be closed. Traditional holidays include:

New Years Day	January 1
Lee-Jackson Day	Friday preceding the 3 rd Monday in January
Martin Luther King, Jr. Day	3 rd Monday in January
Washington-Lincoln Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veterans' Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving	4 th Friday in November
Christmas Day	December 25

If a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. If a holiday falls on a Sunday, the following Monday shall be observed as a holiday.

County employees who, due to work schedule, are unable to observe any of the above holidays, may be granted compensatory leave [or receive holiday pay for the hours worked](#) at the discretion of the County Administrator [or his or her designee](#).

If a holiday falls during an employee's period of Sick Leave, Leave Without Pay, Military Leave, Short-Term Disability or Long-Term Disability, the employee is not entitled to and shall not receive compensatory leave in observance of the holiday.

Full-time employees shall receive full pay for holidays. Permanent part-time employees shall receive full pay for half of each holiday period (i.e., for an 8-hour holiday, receive 4 hours paid time; for a 4-hour holiday, receive 2 hours paid time).

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5.29.2 Annual Vacation Leave

5.2.19.2.1 Accrual Schedule for VRS Plan 1 and Plan 2 Employees

The amount of annual vacation leave a regular full-time employee falling under VRS Plan 1 or VRS Plan 2 earns each month or year depends upon the number of years of service with the County, as shown in the following table:

<u>Years of Service</u>	<u>Hours per Month</u>	<u>Hours per Year</u>
0 to 5	8	96
5 to 10	10	120
10 to 15	12	144
15+	14	168

During the first month of employment, however, annual vacation leave is earned in hourly increments in proportion to the length of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

Up to forty-five (45) days (360 hours) of unused annual vacation leave may be carried over to the following year. Accumulation of leave will be adjusted at the end of each calendar year. Leave accumulated in excess of forty-five (45) days (360 hours), if not taken by December 31, will be lost. No exceptions to this carry-over policy will be permitted.

Annual vacation leave shall be accumulated but cannot be taken during the six-month; initial period of employment. Unexpected time off required during the initial period of employment shall be taken without pay or as compensatory time if such is available. During any absence without pay or during any short- or long-term disability, annual vacation leave will not accrue.

Temporary, part-time, and substitute employees shall not receive annual vacation leave benefits.

5.2.29.2.2 Administration

All requests for annual vacation leave shall be scheduled based on the needs of the County and shall be submitted for approval to the department head on a form approved by the County Administrator.

Annual vacation leave shall not be used in increments of less than fifteen (15) minutes.

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When a holiday falls within an employee's annual vacation leave period, the holiday shall not be counted as an annual vacation leave day.

Annual vacation leave may be used to supplement sick leave if necessary.

All annual leave must be requested and approved not less than three (3) working days in advance by the immediate supervisor. ~~In addition, not more than one year's earned annual vacation leave may be taken consecutively without approval from the immediate supervisor and consent from the County Administrator.~~

An employee separating from County service will be paid for up to forty-five (45) days of accumulated annual vacation leave at the employee's rate of pay on the day of separation. For purposes of this section, "day of separation" means the final day that the employee is considered to be employed by the County. Payment will normally be made in lump sum on the first payday following the day of separation, but will not be made until all County equipment has been returned, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. At the request of the employee, payment for accumulated annual vacation leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

All permanent full-time employees should give at minimum, two (2) weeks notice of resignation. Any annual vacation leave taken during this period must be approved by the immediate supervisor and must not interfere with the ongoing work effort of the department. Following an employee's notice of separation the employee may take accrued leave upon the review and approval of the employee's supervisor, however, such leave must not interfere with the ongoing effectiveness of the department and shall not be greater than 80 hours in total or extend more than two (2) consecutive weeks.

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

9.2.3 Accrual Schedule for VRS Hybrid Plan Employees

The amount of annual vacation leave a regular full-time employee falling under VRS Hybrid Plan earns each month or year depends upon the number of years of service with the County, as shown in the following table:

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<u>Years of Service</u>	<u>Hours per Month</u>	<u>Hours per Year</u>
<u>0 to 5</u>	<u>8</u>	<u>96</u>
<u>5 to 10</u>	<u>10</u>	<u>120</u>
<u>10 to 15</u>	<u>12</u>	<u>144</u>
<u>15+</u>	<u>14</u>	<u>168</u>

During the first month of employment, however, annual vacation leave is earned in hourly increments in proportion to the length of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

Up to thirty (30) days (240 hours) of annual vacation leave may be accrued. Once an employee reaches the 240 hour maximum, annual vacation leave will not accrue unless the maximum balance falls below the threshold. Up to thirty (30) days or (240) hours may be carried over the following year. No exceptions to this accrual maximum or carry-over policy will be permitted.

Annual vacation leave shall be accumulated but cannot be taken during the six-month: initial period of employment. Unexpected time off required during the initial period of employment shall be taken without pay or as compensatory time if such is available. During any absence without pay or during any short- or long-term disability, annual vacation leave will not accrue.

Temporary, part-time, and substitute employees shall not receive annual vacation leave benefits.

9.2.4 Administration

All requests for annual vacation leave shall be scheduled based on the needs of the County and shall be submitted for approval to the department head on a form approved by the County Administrator.

Annual vacation leave shall not be used in increments of less than fifteen (15) minutes.

When a holiday falls within an employee's annual vacation leave period, the holiday shall not be counted as an annual vacation leave day.

Annual vacation leave may be used to supplement sick leave if necessary. Annual leave may be used to bridge the seven (7) days waiting period for short-term disability payment to start and to cover the 40% of wages not covered by short-term disability payments.

All annual leave must be requested and approved not less than three (3) working days in advance by the immediate supervisor. **In addition, not more than one year's earned**

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~~annual vacation leave may be taken consecutively without approval from the immediate supervisor and consent from the County Administrator.~~

An employee separating from County service will be paid for up to thirty (30) days of accumulated annual vacation leave at the employee's rate of pay on the day of separation. For purposes of this section, "day of separation" means the final day that the employee is considered to be employed by the County. Payment will normally be made in lump sum on the first payday following the day of separation, but will not be made until all County equipment has been returned, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. At the request of the employee, payment for accumulated annual vacation leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

~~All permanent full-time employees should give at minimum, two (2) weeks notice weeks' notice of resignation. Any annual vacation leave taken during this period must be approved by the immediate supervisor and must not interfere with the ongoing work effort of the department. Following an employee's notice of separation the employee may take accrued leave upon the review and approval of the employee's supervisor, however, such leave must not interfere with the ongoing effectiveness of the department and shall not be greater than 80 hours in total or extend more than two (2) consecutive weeks.~~

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.39.3 Sick Leave

5.3.19.3.1 Purpose

Sick leave is intended to provide employees paid time off for treatment of personal illness or injury not covered by the Workers' Compensation Act, for the birth and postnatal care of the employee's child(ren), for the reception and immediate care of adopted children, and for personal medical and dental appointments that cannot be scheduled during non-work hours. Leave may also be used for time off for the care of the employee's immediate family during periods of illness or injury.

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Immediate family for purposes of this section shall include only spouse, children (including step and foster), grandchildren, siblings, parents, grandparents, father- and mother-in-law, and brother- and sister-in-law and legal wards of the employee. Assisting immediate family members following the birth of a child when there is *not* illness or injury (examples: caring for older siblings of the newborn and/or assisting a son or daughter in providing newborn care) does not qualify for use of sick leave. In this situation an employee would be able to request to use available earned comp time or annual leave.

Sick leave is provided to the employee as an aid in time of need and should only be used when necessary. Sick leave shall not be used to supplement annual vacation leave.

5.3.29.3.2 Accrual Schedule for VRS Plan 1 and Plan 2 Employees

Sick leave is provided to all permanent full-time employees at the rate of 10 hours per month of County service, except that, during the first month of service, sick leave is accrued on an hourly basis proportional to the portion of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

Sick leave does not accrue during periods of leave without pay or disability.

Temporary, part-time, and substitute employees do not receive sick leave benefits.

Sick leave may be accumulated without limit.

5.3.49.3.3 Administration

Sick leave shall not be used in increments of less than fifteen (15) minutes.

The County Administrator or ~~his/her~~ their-his or her designee may require a doctor's or dentist's certificate to verify the reason for any period of sick leave.

Sick leave for purposes of caring for an in-law as provided above may be used only after the employee has first used at least three (3) days of accumulated vacation or compensatory leave for the specific illness or injury. If the employee does not have vacation or compensatory leave available, the County Administrator or Deputy County Administrator may approve Leave Without Pay or, in ~~his or her~~ their-his or her sole judgment as justified, an advance vacation leave credit.

When an employee leaves County service through resignation or VRS retirement, he or she will be paid for accumulated sick leave as of the day of separation as follows:

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- Upon resignation, the employee will be paid \$10 per unused sick day up to a maximum payment of \$1,600.
- Upon VRS retirement, ~~according to VRS guidelines,~~ the employee will be paid \$20 per unused sick day up to a maximum payment of \$3,200.

In no case, however, shall an employee receive payment for unused sick leave until, to the satisfaction of the County Administrator, all County property and equipment has been returned to the County, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. Payment will normally be made in lump sum on the first payday following the day of separation. At the request of the employee, payment for accumulated sick leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

9.3.4 Accrual Schedule for VRS Hybrid Plan Employees

Sick leave is provided to all permanent full-time employees at the rate of 10 hours per month of County service, except that, during the first month of service, sick leave is accrued on an hourly basis proportional to the portion of the month worked. Monthly time accrues on the last working day of the month and is available for use at the beginning of the next month.

Sick leave does not accrue during periods of leave without pay or disability.

Temporary, part-time, and substitute employees do not receive sick leave benefits.

Up to thirty (30) days (240 hours) of sick leave may be accrued. Once an employee reaches the 240 hour maximum, sick leave will not accrue unless the maximum balance falls below the threshold. Up to thirty (30) days or (240) hours may be carried over the following year. No exceptions to this accrual maximum or carry-over policy will be permitted.

9.3.5 Administration

Sick leave shall not be used in increments of less than fifteen (15) minutes.

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The County Administrator or their designee may require a doctor's or dentist's certificate to verify the reason for any period of sick leave.

Sick leave must be used to bridge the seven (7) days waiting period for short-term disability payment to start and to cover the 40% of wages not covered by short-term disability payments.

Sick leave for purposes of caring for an in-law as provided above may be used only after the employee has first used at least three (3) days of accumulated vacation or compensatory leave for the specific illness or injury. If the employee does not have vacation or compensatory leave available, the County Administrator or Deputy County Administrator may approve Leave Without Pay or, in their sole judgment as justified, an advance vacation leave credit.

When an employee leaves County service through resignation or VRS retirement, he or she will be paid for accumulated sick leave as of the day of separation as follows:

- Upon resignation, the employee will be paid \$10 per unused sick day up to a maximum payment of \$300.
- Upon VRS retirement ~~according to VRS guidelines~~, the employee will be paid \$20 per unused sick day up to a maximum payment of \$600.

In no case, however, shall an employee receive payment for unused sick leave until, to the satisfaction of the County Administrator, all County property and equipment has been returned to the County, the employee has completed an exit interview, and the County Administrator is satisfied that there are no outstanding debts owed the County by the employee. Payment will normally be made in lump sum on the first payday following the day of separation. At the request of the employee, payment for accumulated sick leave may be distributed over a series of not more than three consecutive pay periods. In no case shall the aggregate total of payments exceed the amount due on the day of separation.

Used or planned leave must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.3.59.3.6 Compliance

It is in the employee's interest to use sick leave judiciously and only when needed to prevent financial hardship which can result from loss of pay during an extended absence. Any employee found to abuse his or her sick leave benefit by taking sick leave for

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purposes other than those for which it is authorized, or for making false statements about an illness or injury, shall be denied sick leave pay and may be subject to disciplinary action [up to and including termination of employment](#).

5.3.69.3.7 Sick Leave Bank

All employees [falling under VRS Plan 1 or VRS Plan 2, who are](#) eligible for sick leave benefits but not eligible for short-term disability benefits through the Virginia Retirement System are eligible to participate in the County's Sick Leave Bank. The Bank has been established for the purpose of allowing employees to donate earned sick leave for their benefit or the benefit of other employees who may suffer extended absences from work due to illness or accident, and who do not have sufficient accumulated leave to avoid time off without pay. Participation in the Bank is completely voluntary.

[The sick leave bank is not available to employees who fall under the VRS Hybrid plan.](#)

5.3.6.19.3.7.1 Enrollment

Employees may enroll in the Sick Leave Bank by donating at least one day (eight hours) of accumulated sick leave to the Bank, and by submitting an application to the Human Resources Office as follows:

- within the first thirty (30) days of employment provided that the employee has earned and not used the eight hours required to establish membership; or
- not later than December 15 for membership effective January 1 of the following year.

No enrollment, except for new employees, will be effective sooner than January 1 of the following year.

Employees must be able to provide satisfactory evidence of good health at the time of enrollment, and shall not be eligible to utilize leave from the bank within the first six months of membership.

Membership in the Bank shall be continuous unless the employee informs the Human Resources Office in writing prior to December 15 of his or her decision to terminate membership effective January 1 of the following year.

5.3.6.29.3.7.2 Use

- The Sick Leave Bank may be utilized only by participating members and only for illnesses or injuries experienced by a participating member. Excluded uses of the Sick Leave Bank include but are not limited to maternity and paternity leave, elective surgery or treatment, and leave not authorized in writing by a physician. The County Administrator, or ~~his~~ ~~their~~ ~~his or her~~ designee, shall decide all issues of eligibility and shall approve all withdrawals from the Sick Leave Bank.

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- To utilize the Bank, employees must provide written certification from their treating physician justifying the absence and indicating the anticipated length of absence to Human Resources as soon as the need is known.
- An employee must first exhaust all accrued sick leave, annual vacation leave, and compensatory leave prior to accessing the Sick Leave Bank. The Sick Leave Bank is intended to assist employees once all available paid leaves are exhausted and prior to the employee's eligibility for any type of disability benefits. The Bank may not be used to supplement or substitute for available disability or workers' compensation benefits.
- Employees utilizing time from the Bank will continue to accrue sick leave and annual leave monthly at the same rate as if they were actively at work. However, time accrued while utilizing the Bank must be applied each month toward time off in order for the employee to remain eligible for the Bank.
- No employee may utilize more than forty-five (45) days of paid leave per year in any twelve (12) month period from the Bank.
- Leave utilized from the Bank does not have to be replaced by the employee except as provided for continued membership.

5.3.6.39.3.7.3 Administration

Each member shall automatically be assessed one day (eight hours) of sick leave effective January 1 of each year as that member's minimum annual contribution to the Bank.

At no time shall the Sick Leave Bank balance fall below forty-five (45) days. At the point that the balance is forty-five (45) days, each member shall be assessed an additional day of sick leave. Members shall be notified of any such assessment, and the assessment shall be made unless the member chooses to immediately terminate membership.

Should continuing membership be insufficient to maintain the required minimum balance, the Bank will be closed for the remainder of the calendar year and any remaining leave balance in the Bank will be returned to its donors, insofar as they are still, at such time, employed by the County.

Members that have no accumulated sick leave at the time of any assessment shall be assessed against the next sick leave day accrued.

Members and non-members may donate sick leave to the Bank in excess of the membership requirement at any time. However, non-members may not join the bank and become eligible for bank benefits except as provided under the enrollment procedures specified above.

Upon termination of employment or of membership, no employee shall be allowed to withdraw sick leave previously donated to the Bank.

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Should the Sick Leave Bank be abolished by action of the Board of Supervisors for any reason, any balance of sick leave then held in the Bank will be returned to its donors, insofar as they are still, at such time, employed by the County.

5.49.4 Bereavement Leave

Any absence from work of up to three (3) days during a calendar year, due to death in an employee's immediate family, shall be provided as paid bereavement leave to all permanent full-time employees except during periods of sick leave, military leave, leave without pay, short-term disability and long-term disability.

For purposes of this section, "immediate family" shall include the employee's: spouse; children (including step, foster, and in-laws); parents (including step and in-laws); siblings (including step and in-laws); grandparents (including step and in-laws); grandchildren (including step); and any other person living in the same household as the employee.

Employees wishing to take time off from work for purposes of bereavement in excess of bereavement leave provided may take annual vacation leave or compensatory leave, if available, as approved by their supervisors.

5.59.5 Civil Leave

Leave with full pay shall be granted an employee for any absence necessary for serving on a jury, or attending court as a witness under subpoena. Compensation to employees for civil duties, as by jury or witness, shall be turned over to the County when the employee receives his normal pay for the time he/she was on civil leave. An employee may choose to charge civil days to annual vacation leave, in which case he/she may keep any payment. Civil Leave is not available to employees during periods of annual vacation leave, sick leave, leave without pay, short-term disability or long-term disability.

Used or planned leave must be reported on the appropriate form to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.69.6 Military Leave

Employees shall be granted a leave of absence without loss of annual vacation or sick leave for annual active duty training as a member of the National Guard or any reserve component of the armed forces of the United States for a period not exceeding fifteen (15) calendar days. Employees on military leave do not accrue annual vacation or sick leave while on military leave. The employee will not receive any pay for holidays that fall during that time. While on military leave, the employee may continue their health

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and dental insurance coverage if leave continues beyond one pay period by payment of the employee and County shares of the premium.

An employee who is absent for emergency duty with the National Guard under orders of the Governor as provided by law shall be entitled to leave of absence without pay for the period of ordered absence.

A permanent employee who enters on active duty or who received orders in any of the armed forces of the United States shall be entitled to military leave without pay and to reinstatement to the same job, or in some cases, a comparable position upon return from active duty as prescribed by public law.

Used or planned leave must be reported on the appropriate form to Human Resources as soon as possible but no later than the last working day of the month in which the time was taken. Leave forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.79.7 Family and Medical Leave Act

Basic Leave Entitlement:

Under the federal Family and Medical Leave Act, covered employers are required to provide and eligible employees may take up to twelve (12) work weeks of unpaid job protected leave during any 12-month period for any one of the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth
- to care for the employee's child after birth, or placement for adoption or foster care; the exception being if both employees work for the same employer they are entitled to a combined 12 work weeks of leave
- to care for the employee's spouse, son, daughter, or parent with a serious health condition
- for a serious health condition that makes the employee unable to perform the employee's job

A serious health condition is defined as:

- an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or
- continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

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Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Military Family Leave Entitlements:

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12 week leave entitlement to address certain qualifying exigencies that includes:

- attending certain military events, attending certain counseling sessions and attending post-deployment reintegration briefings
- arranging for alternative childcare
- addressing certain financial and legal arrangements

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12 month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy, or is in outpatient status, or is on the temporary disability retired list.

Eligibility and Administration of Family and Medical Leave:

To be eligible for leave, employees must have been employed by the county for at least twelve months and must have provided at least 1,250 hours of service in the preceding twelve month period.

Only unpaid leave is required to be provided under the law. However, employees shall be required to substitute accrued paid leave for any part of the required twelve weeks.

FMLA leave shall run concurrently with periods of sick leave without pay and periods of short-term disability.

The County uses a twelve month rolling back calendar to determine eligibility for Family and Medical Leave. This means the twelve month period is measured backward from the date an employee uses any FMLA leave.

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Employees request FMLA leave by giving their supervisor at least 30 days notice in advance of a foreseeable leave and as soon as possible for an unforeseen leave. Certification of a health care provider is required for approval of FMLA leave.

This leave entitlement does not need to be used in one block; leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.

During FMLA leave, employers must maintain the employee's health coverage under the group health plan on the same terms as if the employee had continued to work.

FMLA makes it unlawful for an employer to interfere with, restrain, or deny the exercise any right provided under FMLA; discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

An employee may file a complaint with the U. S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

For additional information on the Family and Medical Leave Act, employees should contact their supervisors or the Human Resources Office.

[Supervisors must notify the Human Resources Office as soon as possible when an employee is off work for three \(3\) consecutive days due to illness or injury of the employee and/or a qualifying family member.](#)

5.89.8 Overtime/Compensatory Time

The County, as an entity of local government, adheres to all applicable provisions of the U. S. Fair Labor Standards Act. The following are statements that the Board of Supervisors has adopted to coincide with the provisions of the Act and to provide its employees explanations of their rights under the Act.

[The County recognizes occasionally it is necessary that employees work additional hours beyond the regularly scheduled work day and/or work week. It is a requirement that an employee request and receive approval in advance from their supervisor or department head prior to working any additional hours. Failure to receive advance approval may result in disciplinary action up to and including termination of employment.](#)

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5.8.19.8.1 Accumulation and Use

The County Administrator and Deputy County Administrator are eligible for overtime compensation in the form of discretionary leave. This discretionary time is not necessarily on an hour for hour basis and may be taken after working overtime hours. These employees are not eligible for and do not receive compensatory leave.

Department Heads and Professionals [classified as "Exempt" by the Fair Labor Standards Act](#) (position classifications to include those of engineers, purchasing agents, planners, building inspectors, etc.) may accumulate up to 240 hours of compensatory time. This compensatory time will be on an hour for hour basis. It is expected that compensatory time will be taken off within a reasonable time after it is accumulated. This may be taken at the manager's discretion and according to the work load of the department. However, such time cannot be accumulated beyond 240 hours. Hours beyond 240, as of December 31 of each year, will be forfeited by the employee.

For employees in positions other than those described above, [classified as "Non-Exempt" by the Fair Labor Standards Act](#), who work beyond forty (40) hours in a seven day work week, compensatory leave is accumulated at the rate of time and one half. Overtime performed by an employee in which the total hours worked in a week do not exceed forty (40) will be accumulated at straight time rate. Example: If an employee works a holiday that falls during a regular work week and total hours worked including the holiday, is 40, the eight hours worked on the holiday are accumulated at eight hours compensatory leave. If an employee works a sixth day in a normal five day work week, resulting in a total of 48 hours worked, the eight hours worked on the sixth day are accumulated as 12 hours of compensatory leave. The same provision applies to work weeks in which leave is taken. If an employee is on sick leave on Tuesday and works on Saturday and, therefore, the total hours worked in the week do not exceed 40, the extra time worked on Saturday is accumulated at straight time, i.e., eight hours of compensatory time.

The standard meal period (30 minutes) will apply when calculating compensatory time off for part of a work day and for calculating accrued compensatory time worked during a day. Working through a meal period will be the equivalent of the standard meal period of 30 minutes.

Work-related travel outside of normal work hours is not eligible for overtime/compensatory time unless approved in advance by the County Administrator or Deputy County Administrator.

Employees earning compensatory leave may carry over from year to year up to 240 hours of compensatory leave. All hours accumulated beyond that limit will be taken as compensatory leave, which can be taken as the individual department's work load allows. The County reserves the right, at any time, to pay an employee for hours worked above

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the regular work week rather than allow accrued compensatory time on the appropriate straight time or time-and-one-half basis.

Compensatory time is reimbursable upon separation from County service. Under no circumstances will overtime be paid except as specified above.

Compensatory time which was accumulated by employees prior to the adoption of this personnel policy shall be honored by the County. Employees who have accumulated such compensatory time will be compensated upon separation from the County on an hour-per-hour basis consistent with unused annual leave.

Compensatory leave shall not be used in increments of less than fifteen (15) minutes.

When a holiday falls within an employee's compensatory leave period, the holiday shall not be counted as a compensatory leave day.

Compensatory leave may be used to supplement sick leave if necessary.

All compensatory leave must be requested and approved not less than three (3) working days in advance by the immediate supervisor. Compensatory leave may be taken at the manager's discretion and according to the work load of the department.

All accumulation of compensatory time must be approved by an administrator, the employee's department head, or the employee's supervisor in advance of such accumulation and is subject to review by the County Administrator.

Compensatory time earned must be reported on the appropriate form and sent to Human Resources as soon as possible but no later than the last working day of the month in which the time was worked. Compensatory Time Earned forms not received by the cutoff may not be reported on the current month's personnel record and may be reflected on the report for the following month.

5.8.29.8.2 Wage Basis, Pay Period, Time Sheets

Botetourt County pays wages based on the job classification and relative experience of each employee. Employees will be paid on a monthly basis and shall be paid on the last working day of each pay period. Time worked for the month must be reported as required by the County. Time worked may be reported through the use of a time clock, time sheet or other method at the County's discretion and in compliance with procedures and timelines established by Human Resources.

The County may require full-time, part-time and temporary employees to track time worked by use of a time clock. Employees will be required to "clock in" at the beginning

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of each work day and “clock out” at the end of the work day. Full-time employees will continue to complete and turn in leave slips within established timeframes to request use of accrued annual leave, compensatory leave and sick leave. Each employee is responsible to follow detailed procedures established and available from Human Resources. Failure to comply may result in disciplinary action against the manager or employee up to and including termination of employment.
~~on a time sheet and sent to the Bookkeeper in Financial Services nine (9) days prior to the last working day of the month to allow sufficient processing time to be included in the current pay period.~~

5.8.3 5.8.3 Administration and Record Keeping

The County Administrator or his or her designee is responsible for administration and maintenance of records pertaining to personnel operations.

Records shall be kept showing hours worked per day for each employee and amount of compensatory (overtime) for the work period. These records shall be maintained on each program site, open to inspection by approved authorities (by the County Administrator’s orders only). Additional information relative to medical, annual vacation or other time may be placed on the record. These records shall be reviewed on a monthly basis for payroll and leave computation.

~~These records shall be maintained on each program site, open to inspection by approved authorities (by the County Administrator’s orders only). Additional information relative to medical, annual vacation or other time may be placed on the record. These records shall be reviewed on a monthly basis for payroll and leave computation.~~

All records shall be kept in accordance with the applicable Records Retention and Disposition Schedules of The Library of Virginia.

5.8.4 5.8.4 Meal Periods

At no time should a non-exempt employee spend meal periods at the work station, unless approved in advance as provided above. Any such work can be considered as a basis for overtime (compensatory time). (This includes eating at desk and answering phones or doing other work.) This provision also applies to time before the work day begins and after it ends.

Employees may not voluntarily perform work at the work site prior to the beginning of the work day or after scheduled quitting time. Failure to adhere to this requirement is subject to disciplinary action. On site supervisors shall monitor this and be held responsible and accountable for proper implementation. It is recognized that upon occasion this situation may necessarily occur. In those cases, the procedures regarding accumulation of compensatory time shall apply.

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5.99.9 Leave Without Pay

Upon request of an employee, the County Administrator ~~or their~~ his or her designee, may grant, for reasonable cause, a leave of absence without pay for a specified period of time. Approval will be based on the needs of the County at the time of request. If leave without pay is approved, annual vacation leave and sick leave will not accumulate during this non-pay status. The employee will not receive any pay for holidays that fall during that time. While on leave without pay, the employee may continue their health and dental insurance coverage if leave continues beyond one pay period by payment of the employee and County shares of the premium. If the employee is covered by Virginia Retirement System, their participation is suspended for the duration of the time of leave without pay. Since the employee will not be receiving pay, the County is unable to make the mandatory 5% employee contribution; therefor the County's contribution is also suspended for the duration of leave with out pay. ~~The~~ employee must pay the employee's share of the life insurance premium.

5.109.10 Workers' Compensation Leave

An employee incapacitated by injury or illness as defined by the Workers' Compensation Act shall be entitled to benefits as provided by that Act. Benefits for qualifying illnesses or injuries include compensation for time missed from work and the payment of medical benefits. Illnesses or injuries resulting from an employee's work may or may not qualify for benefits. Determinations of qualification and the award of benefits are made by the County's workers' compensation insurance carrier. Information about benefits and procedures are available from Human Resources.

Every employee or ~~his~~ their ~~his or her~~ representative shall immediately on the occurrence of an accident or as soon thereafter as practicable, give or cause to be given to his supervisor, ~~or the County, a written~~ notice of the accident. The injured employee or their supervisor or department head shall be responsible for contacting the Company Nurse Hotline to report the work related incident as soon as practicable. In the instance of death, amputation or loss of an eye of the employee, the Company Nurse Hotline must be contacted immediately. According to OSHA guidelines there is a very strict timeline that must be adhered to in these instances or the employer may face substantial penalties. ~~The notice shall state the name and address of the employee, the time and place of the accident, the nature and cause of the accident, and the injury.~~ Failure to ~~give written~~ provide notice in the manner described ~~above~~ above ~~within 30 days~~ of the accident may prejudice the employee's rights to compensation and the payment of medical benefits under Virginia's workmen's compensation laws. Time missed from work due to an illness or injury qualifying for Workers' Compensation Act benefits will not be applied against any of the employee's accrued leave balances. The employee may not substitute accrued paid leave for benefits provided under the Act.

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5.119.11 Retirement

The County is a participant in the Virginia Retirement System (VRS). The Commonwealth of Virginia supplements federal social security benefits with provisions for retirement due to disability or age. Each pay period, the County makes contributions to every employee meeting VRS eligibility requirements, employee's retirement account, along with the mandatory 5% payroll deduction from each employees' paycheck.

Any VRS covered vested employee leaving County service before retirement may withdraw request a refund of the total of his or her contributions to the system plus accrued interest or may elect to have the contributions remain in the plan. Non-vested employees' contributions will be automatically refunded to the departing employee. Please go to the VRS website: www.varetire.org for specific details.

The VRS administers several retirement plans for local government employees in Virginia. Which plan an employee participates in is determined, primarily, by the employee's initial participation date. Retirement plan terms, conditions and benefits vary and detailed information is available from VRS. Currently, County employees may be enrolled in Plan 1, Plan 2 or the Hybrid Retirement Plan through VRS. All new VRS participants not employed in a hazardous duty position as of January 1, 2014, are required to participate in the Hybrid Retirement Plan.

Hybrid Retirement Plan participants are eligible for short- and long-term disability benefits in accordance with the plan. As a result, Hybrid Retirement Plan employees are not eligible to participate in or receive County sick leave bank benefits.

The County also is a participant in the VRS 457(b) deferred compensation plan. This plan allows VRS Plan 1 and Plan 2 employees to contribute before-tax dollars, up to maximum deferral limits established by the IRS, through a salary deferral agreement into investment accounts of their choosing. These contributions remain tax free until withdrawal at retirement. The county matches employee contributions dollar-for-dollar up to authorized limits. Hybrid Plan participants have the option of participating in the Hybrid 457(b) Deferred Compensation plan, after meeting threshold participation requirements under the Hybrid retirement plan. The County matches employee contributions up to authorized limits established by VRS.

VRS also offers a Roth IRA investment option for VRS Plan 1 and Plan 2 members, which allows employees to contribute after-tax dollars, up to maximum deferral limits established by the IRS, through a salary deferral agreement into investment accounts of their choosing. These contributions remain tax free at withdrawal at retirement. This plan does not allow for an employer match. For more information, contact Human Resources.

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5.129.12 Social Security

All employees are required to participate in the federal Social Security System. Appropriate amounts will be deducted from the employee's salary as provided by federal law.

5.139.13 Life Insurance

Life insurance coverage is provided to ~~permanent full-time employees~~ all employees meeting VRS eligibility requirements. The cost of such insurance is paid fully by the County. The amount of life insurance is twice the employee's annual salary rounded up to the next highest \$1,000 in the event of natural death. In the event of accidental death, the insurance is double the natural death benefit. For example: if an employee has a salary of \$25,300, the employee is insured for \$52,000 in the event of natural death and \$104,000 in the event of accidental death. Employees covered under the County provided life insurance plan may also purchase additional life insurance, from one (1) to four (4) times their annual salary, up to carrier limits, through the VRS Optional Group Life insurance program. For more information, contact Human Resources.

5.149.14 Health Insurance

The County offers to permanent full-time employees and part-time employees whose time worked as defined by the Affordable Care Act qualifies them for ~~and their dependents~~ group health insurance. ~~that~~ This coverage is available to qualified employees and their dependents, and includes hospitalization, medical, prescription drug, surgical and major benefits. The County pays a portion of the premium cost for ~~the employees and any spouse and/or dependent(s) the employee chooses to cover, the remainder of the employee premium is purchased~~ deducted through payroll deduction. ~~The employee has the option of purchasing dependent coverage through payroll deduction.~~ The employee has the option to continue this health insurance coverage for a limited time upon retirement, termination or other severance from the County provided that the employee pays the entire cost of coverage and any administrative fee applied as permitted by law. For more information, contact Human Resources.

5.159.15 Dental Insurance

Group dental insurance is offered to permanent full-time County employees. The County pays the premium cost for the employee. The employee has the option of purchasing spouse and/or dependent coverage through payroll deduction. Coverage includes preventative services, basic services, and major services. ~~The employee has the option of purchasing dependent coverage.~~ For more information, contact Human Resources.

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5.16.16 Retiree Medical Insurance Coverage

5.16.19.16.1 Purpose

To define the eligibility requirements for retiree medical insurance coverage when an employee retires under VRS regular or disability retirement guidelines, subject to the provisions of Virginia Code § 15.2-1517.

5.16.29.16.2 Policy

An employee who has completed 15 years of uninterrupted service with the County and retires in accordance with the Virginia Retirement System (VRS) regular or disability retirement guidelines may continue the same medical insurance coverage in effect at the time of retirement. Coverage is available to the retiree until age 65. If coverage is dropped or reduced after disability or regular retirement begins, coverage cannot be reinstated.

Qualified retirees are responsible for the premium for this medical insurance coverage. When providing this coverage, the County may rate retirees separately from active employees who are covered under the employee group plan.

5.16.39.16.3 Procedure

Employee

The employee must notify the Human Resources Office of his or her desire to continue health insurance coverage at the time of retirement. Upon authorization by the retiree and the County, monthly health care premiums may be taken directly from the retiree's monthly retirement check in accordance with VRS guidelines.

Dependent Coverage

The dependent must be enrolled in the County's group medical insurance plan six (6) months prior to the retirement of the employee. A qualifying event supersedes the six (6) month requirement. Coverage is no longer available for a spouse and/or dependent child(ren) when the retiree reaches age 65 [or becomes eligible for Medicare.](#)

Payments

The County is responsible for the administration of the health insurance program. Unless deducted by VRS, monthly health care premiums must be paid to the County by the 1st of each month. After the 8th, a late fee equal to 7% of the amount due may be charged. If payment is not received within 15 days, coverage may be cancelled and cannot be reinstated.

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Should a retiree choose to pay by personal check and the check is returned to the County for any reason, then the County reserves the right to add an additional \$20.00 returned check fee to the original premium amount and submit it for payment. If a check is returned for a second time during the calendar year, payment must be made by cash or money order.

5.16.49.16.4 Disclaimer

Nothing in this policy is intended to create or construe to create a contract or guarantee of benefits for any specific period of time. The County reserves the right to change or modify these benefits at any time in accordance with Board policy or federal or state laws.

6.10. Training/Continuing Education Program

Purpose

The purposes of this Tuition Assistance Policy are to:

- improve County services and operations through continuing skills development and education by County employees;
- support succession planning and the effective and smooth transition of positions, responsibilities and leadership from one employee to the next; and to
- enhance the County's ability to recruit and retain quality employees dedicated to delivering excellence.

Applicability

This policy applies to non-mandated training and education only. It does not apply to, substitute for, or replace job-required training or education. Training and education mandated by an employee's supervisor shall be provided at the County's expense. This policy does not apply to training or education approved prior to January 1, 2010.

Employee Eligibility

To be eligible to apply for the benefits of this policy, an employee must:

- be a full-time, permanent, non-probationary employee of the Botetourt County Board of Supervisors;
- have a minimum employee performance rating of satisfactory on the performance evaluation immediately prior to applying; and

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- for course work that is part of a General Equivalency Diploma (GED) or post-secondary degree program, have worked at least twelve consecutive months for the Board of Supervisors immediately prior to applying.

Course/Program Eligibility

- all activities under this policy must be approved before the start of the activity by the County Administrator or his designee
- all courses, seminars, workshops, programs, etc. must be either directly related to an employee's current position, or must be directly related to recommended or required educational qualifications for a potential future movement into another existing position under the authority of the Board of Supervisors
- post-secondary degree program courses must be taken through an institution that is accredited by a generally recognized accreditation entity
- approval of a course that is part of a program of study does not necessarily obligate the County to approve future courses in that program of study

Reimbursement Eligibility

- the employee must accept and agree in writing to an employment commitment/repayment obligation as provided herein
- the course must be successfully completed; if graded, the employee must receive a grade of "C" or better for any undergraduate courses and must receive a grade of "B" or better for any graduate level courses
- tuition and fees required to enroll in a course or to attend an accredited institution and approved in advance by the County Administrator or his designee are reimbursable

Ineligible Expenses

- books, supplies, parking fees, travel and any other expense not approved in advance as a reimbursable expense (certain expenses may be tax deductible and employees should consult their tax advisor)
- expenses, including reimbursable expenses approved in advance, for which the employee is offered funding from another source including financial aid, scholarships, grants, gifts or stipends

Reimbursement Amount

- for a non-grade course that is directly related to the employee's current job, 100% of eligible expenses will be reimbursed by the County upon satisfactory completion

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- for a graded course that is directly related to the employee's current job, eligible expenses will be reimbursed based on the final grade received as follows:
 - Undergraduate Level Courses
 - for a grade of "A" -- 100%
 - for a grade of "B" – 90%
 - for a grade of "C" – 80%
 - Graduate Level Courses
 - for a grade of "A" -- 100%
 - for a grade of "B" – 90%
- for a non-grade course that is related to a potential future position, 50% of eligible expenses will be reimbursed by the County upon satisfactory completion
- for a graded course that is related to a potential future position, eligible expenses will be reimbursed based on the final grade received as follows:
 - Undergraduate Level Courses
 - for a grade of "A" – 50%
 - for a grade of "B" – 40%
 - for a grade of "C" – 30%
 - Graduate Level Courses
 - for a grade of "A" -- 50%
 - for a grade of "B" – 40%
- no reimbursement will be provided for courses not completed as outlined above
- in no case shall reimbursement to an employee in any County fiscal year exceed \$2,000 for job related courses or \$1,500 for courses related to a potential future position.
- all County reimbursements are subject to annual appropriation by the Board of Supervisors and the availability of funds

Employment Requirement/ Reimbursement Repayment

An employee receiving reimbursement under this policy is required to maintain employment with the Board of Supervisors for one year for each \$1,000 reimbursed by the County within a twelve-month period. Periods of short- or long-term disability shall not count towards the employee's employment period for purposes of this section. The one-year employment requirement begins as of the date the employee successfully completes the course and may run simultaneously with employment requirements of other courses.

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Whether voluntary or involuntary and regardless of reason or cause, upon termination of employment prior to the employee's completion of the above employment requirement, the employee shall repay to the County the amount of reimbursement the employee received from the County proportional to the length of the work requirement fulfilled by the employee. Repayment shall first be made through deduction of any accumulated sick or annual leave otherwise payable to the employee upon termination. Any remaining repayment due shall be billed to the employee according to a schedule approved by the County Administrator or his designee. Except in cases of demonstrated hardship, repayment should not extend beyond twelve months of the employee's termination date.

Administration

The employee must provide documentation satisfactory to the County Administrator or his designee demonstrating compliance with all provisions of this policy.

Nothing in the policy shall preclude the inclusion of additional requirements or conditions on the employee's obligations under this policy as may be deemed appropriate by the County Administrator or his designee.

Work associated with the requirements of any course approved under this policy must not interfere with or adversely impact the employee's performance on the job and may not be performed during work hours. The employee may use County equipment outside of work hours for course work upon prior approval by the County Administrator or his designee, however, any supplies necessary must be provided by the employee.

7.11. Records and Reports

7.11.1 Personnel Transactions

All appointments, separations and other personnel transactions shall be made on forms designated by the County Administrator.

7.211.2 Active Applications

Applications are actively considered for a period of six months from the date of filing and will be reviewed for all vacancies that occur during the six months for the position for which application is made.

7.311.3 Public Inspection

The following information relative to employees and former employees shall be available for public inspection at reasonable times and in accordance with such procedures as the County Administrator may prescribe: name, class title, salary, and other information as is

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required by law. Examination records and performance rating reports shall be accessible only to the department head concerned, the Board of Supervisors and the employee involved.

7.411.4 Destruction of Records

Employee service records, either the original, [electronic copies](#) or microfilm copies, shall be kept permanently. All other records, including correspondence, applications and examinations may be destroyed after three years at the discretion of the County Administrator.

AGENDA ITEM: Consideration of a resolution approving the award of a contract under emergency procurement provisions for archaeological services on two sites in Greenfield.

Administrator's Comments:

On November 24, 2015, the Board of Supervisors authorized and directed County staff to procure archaeological investigation and building moving services at Greenfield. As discussed in that meeting, given the time constraints in which the work is required to be accomplished, staff awarded a contract to Timberworks of Interest, LLC, on December 5, 2015, and to Dovetail Cultural Resource Group of Fredericksburg, Virginia, on December 21, 2015. The County's Procurement Policy requires that the Board adopt a resolution documenting this procurement and the basis for procurement on an emergency basis.

Recommendation:

Adopt the following resolution approving the award of a contract under emergency procurement provisions to Dovetail Cultural Resource Group for archaeological services on two sites on the Greenfield property:

WHEREAS, Botetourt County negotiated, committed itself to, and approved an agreement to convey certain property within Botetourt Center at Greenfield to the Botetourt County Industrial Development Authority for the purposes of conveyance to the Greater Roanoke Valley Development Foundation and the construction, by that entity, of a speculative industrial shell building to attract manufacturing investment and employment; and,

WHEREAS, under the terms of said agreement, the County must relocate two historic structures from the property and, under terms of said agreement, time is of the essence; and,

WHEREAS, archaeological work is necessary to ascertain the potential of any historically significant artefacts on either the structures' existing locations or their new location and this investigation will require expertise and experience; and,

WHEREAS, the County solicited and received from the Virginia Department of Historic Preservation referrals of qualified and reputable contractors to perform the required work; and,

WHEREAS, upon solicitation of proposals, receipt, review and evaluation of the same, County staff selected Dovetail Cultural Resource Group as the preferred contractor based on experience, references, interviews and written proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors, in order to fulfil its contractual obligations to the Botetourt County Industrial Development Authority and to the Greater Roanoke Valley Development Foundation, does hereby endorse and authorize the emergency procurement of services to conduct archaeological investigations of two sites on the Botetourt Center at Greenfield property as described and provided in its proposal dated and effective December 21, 2015, for a not-to-exceed price of \$65,860.

1/21/2016

AGENDA ITEM: Consideration on proposed amendments to Chapter 21. Subdivisions of the Botetourt County Code regarding subdivision procedures.

Administrator's Comments:

As discussed during a December public hearing, amendments are being proposed to Chapter 21. Subdivisions of the County Code to bring the ordinance into compliance with the Code of Virginia. Please see the November 25 memo from Nicole Pendleton, Planning Manager, (attached) which explains these amendments in more detail.

The Board of Supervisors approved a request to postpone action on the amendments so that staff could incorporate citizen comments. Staff incorporated suggested changes and final recommendations are attached.

Recommendation:

1. Allow staff/County Attorney to review the proposed amendments and ask any questions as necessary.
2. Adopt the proposed amendments to Chapter 21. Subdivisions of the Botetourt County Code regarding subdivision procedures as recommended.

Attachments

 1/20/2016

**AN ORDINANCE AMENDING AND REENACTING CERTAIN PORTIONS OF
BOTETOURT COUNTY CODE CHAPTER 21—SUBDIVISIONS**

ARTICLE IV. APPROVAL OF PLATS.

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Division 1. In General.

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Sec. 21-24. - Approval by agent of preliminary plats.

The agent shall exercise authority to review, approve and disapprove ~~the preliminary plats for major subdivisions of land~~ all plats required by this chapter within the unincorporated areas of Botetourt County. The agent shall ensure that the development is rationally designed in accordance with this chapter. His review shall be guided by the following standards:

- (1) Suitability to topography. If the site contains floodplains, wetlands or slopes steeper than fifteen (15) percent, the proposed development shall be designed to protect against such dangers as erosion, sedimentation, flooding, landslide or subsidence.
- (2) Infrastructure. All roads, water systems, sewer systems, storm drainage systems, solid waste collection systems, and other utilities and service shall be coordinated with the existing and planned systems in the surrounding area and shall be designed and constructed so as to minimize the cost of operation and maintenance.
- (3) Phasing. Proposed development shall be phased in a manner that will promote orderly growth and allow for planned improvements to the highway system and other infrastructure in coordination with the county capital improvements plan and the state department of transportation six-year improvement plans.

...

Sec. 21-51. - Definitions.

~~Major subdivision: A subdivision creating six (6) or more lots.~~

~~Minor subdivision: A subdivision creating five (5) or fewer lots, including the remainder, if any, of the parent tract as one of the lots.~~

...

Sec. 21-65. Flooding and other hazards.

- (a) Land subject to flooding shall not be platted for residential occupancy, nor for such other uses as may increase dangers to health, life or property, or aggravate erosion or flood hazard. Such land, if any, within any subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or shall not produce conditions contrary to public welfare.

- (b) The applicant for any subdivision of lots shall submit with his application a statement by a licensed surveyor or engineer as to whether or not any property in the proposed subdivision lies within the 100-year floodplain. When property lies within the 100-year floodplain, the extent of the floodplain shall be shown on the plat.

Sec. 21-66. Preliminary sketch & preapplication meeting.

The applicant may submit to the agent a preliminary sketch of the proposed subdivision prior to the applicant preparing an engineered preliminary plat and request a meeting with the agent to discuss the requirements for an application. The purpose of such preliminary sketch is to permit the agent to advise the applicant whether his plans, in general, are in accordance with the requirements of this chapter, and to facilitate the review as hereafter provided. The agent shall study the sketch and advise the applicant as to any changes that would be necessary to substantially conform to the requirements of this chapter. The agent shall mark the sketch indicating any such necessary changes. The agent shall provide such advice to the applicant within 10 working days of submission of the preliminary sketch.

Sec. 21-67. Preliminary plat; when required, process.

- (a) *When preliminary plat required.* An applicant must submit a preliminary subdivision plat for any subdivision of more than 50 lots. For any subdivision of 50 or fewer lots, submission of a preliminary plat is optional and in the discretion of the applicant.
- (b) *Submission and acceptance of preliminary plat.* The agent shall review a submitted preliminary plat within 10 days to determine whether it meets the minimum submission requirements of this chapter. If deemed to be complete, the plat is thereby officially accepted as of the date of receipt in the agent's office, which shall be called the "official date of submission." If it is not accepted by the agent, the agent shall submit the reasons in writing to the applicant within 10 days of the date of submission. The agent's determination that the plat has been accepted for review and processing shall not be deemed a determination that the plat meets all requirements for approval.
- (c) *Review of preliminary plat.*
 - (1) Not later than 10 calendar days after the official date of submission of a preliminary plat, the agent shall distribute copies of the preliminary plat to other county departments, and other county, state or federal government agencies as the agent may deem necessary to determine compliance with all applicable regulations. Review and comment by any such agency shall be completed within 45 days of the official date of submission of the preliminary plat. Any comments shall be submitted to the agent in writing. The agent shall also forthwith transmit the plat to the E-911 coordinator for approval of any proposed street names for any new streets or extensions to existing streets.
 - (2) The agent shall review the preliminary plat for conformance with the requirements of this chapter and shall prepare written comments as to findings.
 - (3) The applicant shall have the option of revising the application (preliminary plat) based upon the comments received. The agent shall determine whether such revisions, if any, constitute an amended application such that additional

substantive review is required by the agent or other agencies, in which case the date on which the amended application is submitted shall thereafter be deemed the official official date of submission for timeline purposes.

(d) *Action on preliminary plat.*

- (1) If no agency reviews pursuant to subsection (c)(1) are necessary, the agent shall complete review of the preliminary plat not later than 60 days after the official date of submission.
- (2) The agent shall act on the proposed preliminary plat not later than 35 days after receiving all agency comments, or 90 days after the date of official acceptance. The agent may delay such action if the applicant has submitted a written request for a delay. The agent shall act on the preliminary plat by approving, or disapproving such plat. The agent shall approve the preliminary plat provided that the requirements of this ordinance and other applicable ordinances have been met. If disapproved, specific reasons for disapproval shall be provided in writing or marked on the plat and sent to the applicant in writing and shall include such modifications or corrections as will permit approval of the plat.
- (3) When the subdivision agent approves a final subdivision plat for all or a portion of the property, the underlying preliminary plat shall remain valid for a period of five years from the date of approval of the latest-recorded final subdivision plat for the property.

Sec. 21-67.1. Final plat.

- (a) *When required.* No property may be subdivided, except by judicial order, except following application for and approval of a final subdivision plat.
- (b) *Application requirements.* An applicant who proposes to record a final plat of subdivision shall submit copies of the final plat and other documents as required herein, to the agent for review. The agent shall determine within 10 days if the final plat and documents comply with the minimum submission requirements of this chapter. If deemed to be complete, the plat is thereby officially accepted as of the date of receipt in the agent's office, which shall be called the "official date of submission." If not accepted, the reasons shall be indicated by the agent in writing and returned with the documents and final plat to the applicant. Acceptance of the application for processing shall not be deemed a determination that the final plat meets the requirements for approval.
- (c) *Review and action.*
 - (1) If the agent determines that no agency review of a plat is necessary, then within 60 days after the official date of submission of the final plat, the agent shall act on the final plat application. If the agent approves the application, approval shall be evidenced by the agent's signature on the final plat, thereby indicating that the final plat is in conformance with the requirements and provisions of this chapter, and that all construction plans and profiles are designed in accordance with all county public facility regulations and requirements.

- (2) If the agent determines that agency review will be necessary, then within 10 days after the official date of submission of the final plat, the agent shall forward copies of the plat to all review agencies. Such review agencies shall complete their review and forward comments to the agent within 45 days, unless otherwise provided by law. Following receipt of all agency comments, the agent shall act upon the plat within 35 days.
- (3) If all requirements and conditions of this chapter are not met, the agent shall not approve the final plat. Written reasons for such disapproval shall identify specific deficiencies with respect to adopted regulations, and shall generally identify such modifications or corrections as will permit approval of the plat.
- (4) Upon resubmission of a disapproved final plat, the agent shall make a determination within 10 days of resubmission of whether the changes are directed to remedying the deficiencies that resulted in rejection or are substantive amendments to the plat. If the changes are directed to remedying the deficiencies that resulted in rejection, then the agent shall act within 45 days of the official date of submission of the revised final plat. If the changes are substantive amendments to the plat, the plat shall be processed as a new original final subdivision plat application.

Sec. 21-69. Boundary line adjustment.

When the boundary line between any two legal lots or parcels of record is proposed to be relocated, or altered without creation of any additional lot or parcel, and where all resultant lots meet all applicable requirements of the zoning and subdivision ordinances, or where the original lots are nonconforming, but are made no more nonconforming by the adjustment, the following provisions apply:

- (1) The agent may waive any of the requirements of this chapter and approve such boundary line adjustment as evidenced by the agent's signature on the plat so long as the following conditions have been met:
 - a. Such boundary line adjustment shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas, and no easements or utility rights-of-way shall be relocated or altered without the express consent of all persons holding any interest therein.
 - b. Such boundary line adjustment shall be clearly depicted upon the plat which shall be executed, acknowledged and recorded by the owner or owners of such land as provided in the Code of Virginia § 15.2-2264.
 - c. Such boundary line adjustment shall not result in any new violation of the area or other dimensional requirements of the zoning ordinance, provided, however, that any existing violation of minimum yard requirements or any existing nonconformity shall be permitted to continue so long as such yard violation or nonconformity is not enlarged, expanded or extended.

- d. Where the adjustment of the boundary line may impact the suitability of any lot for individual on-site sewage disposal, the agent may require evidence of either Virginia Department of Health approval for an on-site sewage disposal system or from the county for connection to a public or community sewage system for any lot so impacted.
 - e. Unless the titles to all parcels affected by the BLA boundary line adjustment are vested identically in the same person or entity or the same combination of persons and/or entities, an executed deed shall be filed with the plat which makes clear that no additional lot or parcel shall be created by the boundary line adjustment.
- (2) For the purposes of the zoning and subdivision ordinances of Botetourt County, the lots or parcels resulting from any such boundary line adjustment approved hereunder shall be considered as coming into existence as of the date of recordation in the office of the Clerk of the Circuit Court of Botetourt County, Virginia, of the boundary line adjustment plat.

Sec. 21-70. Family subdivisions.

A subdivision of a lot or parcel of record into two or more lots for the purpose of conveyance to members of the owner's family will be approved when the following conditions are met:

- (1) There is no intent to circumvent the requirements of the Botetourt County Zoning Ordinance and/or the provisions of this subdivision ordinance by the creation of lots which would not be approved except under this section, for conveyance or reconveyance to grantees who are not eligible family members as defined herein, except for the trustees of a bona fide lender of purchase money and/or money for the construction of a residence or purchase of a mobile home to be sited on the lot conveyed.
- (2) The person to whom the lot is to be conveyed is a natural or legally defined child, spouse, sibling, parent, grandparent, grandchild, niece, or nephew of the property owner. One such division shall be allowed per family member, but this exception shall not apply so as to permit further subdivision of such parcel by grantees hereunder for a period of five years after the final plat is recorded.
- (3) The person to whom the lot is to be conveyed has not previously been conveyed a lot by the exercise of this section or any previous family exemption section of the Botetourt County Code.
- (4) The lot so created shall be 1.25 or more acres in the A-1, AR, RR, and FC districts and shall have at least 20 feet of frontage on a state maintained highway, or at least a 20 foot wide appurtenant easement for ingress and egress to a state maintained highway.
- (5) Applicants for a family subdivision shall not be required to provide a soil survey, and no plat information relating to septic approval shall be required.

- (6) A plat of the proposed division, prepared in accordance with section 21-103 of this chapter, shall be approved by the subdivision agent.
- (7) The plat shall contain a certificate, the exact wording to be provided by the subdivision agent from standard models, wherein the owner of the property or family members receiving same, sets forth the relationship of the parties, attests to the compliance of the conveyance with the county ordinances governing same and affirms the subscriber's awareness that resale of the tract so conveyed to a nonfamily member or the original grantor within three years shall be determined to be a circumvention of the ordinance and that the parties thereto may be subject to fines and/or prosecution for perjury. This certificate shall be subscribed and sworn before a clerk or deputy clerk of the circuit court or a notary public as required by the agent.
- (8) The applicant shall present to the agent three paper copies and one digital copy of the plat of family subdivision and an executed deed of conveyance for approval.

It shall be the applicant's responsibility to obtain preliminary approvals of the proposed family subdivision before executing the deed.

Sec. 21-71. Low density subdivision.

A low density subdivision is a subdivision into lots of 25 or more acres each. The subdivider may request an exception to any of the requirements of this chapter pursuant to section 21-25. In no event, however, shall the planning commission grant an exception which permits a lot not approved for an individual sewage disposal system or connection to a public sewage disposal system.

The planning commission's decision to approve an exception to any of the requirements of this chapter shall be guided by the county's comprehensive land plan and by the purposes established in section 21-3, as well as by the requirements of section 21-25.

Sec. 21-72. Subdivision for service facility.

A subdivision for the purpose of creating a lot containing a stormwater detention pond, a pump station, utilities or other facility for the provision of services, sewer, water, stormwater runoff and other similar uses if the lot created does not meet the requirements for lot area, frontage, setbacks or permitted uses under the zoning ordinance. Any lot created pursuant to this section shall not be used for residences or commercial or industrial purposes, and such limitation shall be noted on the plat and the deed creating the service facility lot.

Division 2. Preliminary Plat Requirements.

Sec. 21-81. General requirements.

All preliminary plats shall provide all of the facts necessary to show compliance with this chapter. The agent shall have the authority to waive certain submittal requirements for plats if the agent determines, upon written justification by the applicant, that such information is not necessary for the proper review and approval of the plat and that not providing the information will in no way affect any public improvements, adversely affect adjoining properties, or conflict with any other requirements of the zoning ordinance or subdivision ordinance. Such waivers

must be approved prior to submission of the plat and may be addressed at the preapplication meeting pursuant to Section 21-66.

Sec. 21-82. Preliminary plat content.

Unless a waiver is approved as provided for in Section 21-81 above, all applications for preliminary plat approval shall include or be accompanied by the following information:

- (1) The applicant shall present to the agent three paper copies of the plat, at a scale of not less than 200 feet to the inch, on sheets not larger than 24 inches by 36 inches, plus one digital copy.
- (2) Name of subdivision, county, magisterial district, state, property owner and name, address, signature and license of the surveyor or engineer who prepared the plat; the date the plat was drawn and dates of any revision(s); north arrow and source of meridian; scale of drawing and number of sheets. If shown on more than one sheet, matched lines shall clearly indicate where the sheets join.
- (3) General location of the proposed subdivision by an insert vicinity map, at a scale of not less than two inches equals one mile or as otherwise approved by the agent, indicating thereon adjoining roads, their names and number, towns, subdivisions and other landmarks.
- (4) Proposed names and locations for new streets or extensions of existing streets, boundaries of all proposed and existing lots, easements, parks, school sites or other public areas, any areas of common open space, proposed uses of the property, the number and area of all building lots, all existing public and private streets and other rights-of-way, their names, numbers and widths, water courses and their names.
- (5) Names of owners and their property lines within the boundaries of the tract and adjoining such boundaries.
- (6) Deed reference, tax map, and parcel number.
- (7) Existing zoning and any proffers associated with the property; proof of any special exceptions, variances or waiver necessary for the subdivision, and existing zoning of adjoining properties.
- (8) When the subdivision consists of land acquired from more than one source of title, the outlines of the various tracts shall be indicated by dash lines and the identification of the respective tracts shall be placed on the plat.
- (9) The boundary survey or existing survey of record.
- (10) Total acreage, acreage of subdivided area, number, area and frontage of all building lots, existing buildings within the boundaries of the tract, yard and setback lines, and any areas of common open space.
- (11) Existing topography as required by the agent.

- (12) Location of 100-year flood plain as shown on the most recent federal emergency management agency (FEMA) maps.
- (13) All parcels of land to be dedicated for public use or ownership, the prospective owner(s) of such public use sites and the conditions of such dedication.
- (14) Preliminary soils survey or statement of public water/sewer availability.
- (15) Any proposed connections to public or community water and sewer systems.
- (16) Preliminary storm water management plans.
- (17) Outline of any proposed covenants.

Sec. 21-84. Reserved.

Sec. 21-85. Multi-phase subdivisions.

When the subdivision agent approves the preliminary plat of a multi-phase major subdivision, the subdivision agent may approve an extended period for the recordation of the final plats of the subdivision. The final plats for all phases must be recorded within five (5) years of the first recordation of a final plat for any phase, unless this period is extended by the subdivision agent at the time of the approval of the preliminary plat. The subdivision agent may grant the extension for such time as he may deem to be reasonable, taking into consideration the size and phasing of the proposed subdivision. The final plats for unrecorded phases shall be subject to the terms and conditions of the engineering and construction standards and zoning requirements in effect at the time that each remaining phase is recorded.

(Res. No. 09-02-08, 2-24-09)

Sec. 21-86. Term of validity of preliminary plat.

- (a) Once a preliminary subdivision plat is approved, it shall be valid for a period of five years, provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one year of such approval and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto.
- (b) The agent may grant one six-month extension of the time period to file a final subdivision plat under subsection (a) upon request of the subdivider filed at least 10 days prior to expiration of the one-year period of validity.
- (c) However, no sooner than three years following such preliminary subdivision plat approval, and upon 90 days' written notice by certified mail to the subdivider, the commission or other agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

Sec. 21-87. Appeal of failure to act on preliminary plat.

If the agent fails to approve or disapprove the preliminary plat within 90 days after it has been officially submitted for approval, the subdivider, after 10 days' written notice to the agent, may petition the circuit court for an order with respect thereto as it deems proper, which may include directing approval of the plat.

Sec. 21-88. Appeal of disapproval of preliminary plat.

If the agent disapproves a preliminary plat and the subdivider contends that the disapproval was not properly based on the ordinance applicable thereto, or was arbitrary or capricious, he or she may appeal to the circuit court, which shall hear and determine the case as soon as may be. The appeal must be filed with the circuit court within 60 days of the written disapproval by the agent.

Division 3. Final Plat Requirements.

Sec. 21-101. General requirements.

All final plats shall provide all of the facts necessary to show compliance with these subdivision regulations. The agent shall have the authority to waive certain submittal requirements for plats if the agent determines that such information is not necessary for the proper review and approval of the plat and that not providing the information will in no way affect any public improvements, adversely affect adjoining properties, or conflict with any other requirements of the zoning ordinance or subdivision ordinance. Such waivers must be approved prior to submission of the plat.

Sec. 21-103. Content of final plat.

All final plats shall be clearly and legibly drawn in ink, at a scale of not smaller than 50 feet to the inch (1"= 50'), except in cases where the agent has approved an alternate scale, on sheets being no larger than 17 by 22 inches in size. If the plat is drawn on more than one sheet, match lines shall clearly indicate where the several sheets join. Unless a waiver is approved as provided for above, the final plat will clearly show the following information:

- (1) All multiple lot subdivision plats shall be based on a current field survey performed in accordance with the "Minimum Standards and Procedures for Land Boundary Survey Practice" promulgated by the Virginia Department of Professional and Occupational Regulation (18 VAC 10-20-370) as amended. All single lot subdivisions, including family, low density, agricultural divisions and boundary line adjustments or resubdivisions, may, with the consent of the parties to the subsequent conveyance and the waiver of the subdivision agent, be based on a plat from records of previous surveys without additional monumentation, or combination of the same with a partial current field survey. In either event, all of the plat information listed as required in said minimum standards and procedures shall be shown together with such additional items required by this chapter, where readily available in the records used.
- (2) All final plats shall be clearly and legibly drawn in ink, at a scale of not smaller than 50 feet to the inch (1"=50'), except in the case where the agent has approved an alternate scale, on sheets being no larger than 17 by 22 inches in size. If the

plat is drawn on more than one sheet, match lines shall clearly indicated where the several sheets join

- (3) Scale of drawing and number of sheets
- ~~(1)~~ If no preliminary plat is submitted, all applications for final plat approval shall include or be accompanied by the information required by Sec. 21-82
- ~~(2)~~(4) Name of the subdivision, county and state-
- ~~(3)~~(5) Name of owner(s), name, and address of the licensed professional surveyor who prepared the plat-
- ~~(4)~~(6) The numerical section number if the plat includes only a portion of a larger tract-
- (7) Date of preparation of the plat and dates of any revisions-
- ~~(5)~~(8) North arrow and source of meridian
- (9) General vicinity map showing the location of the parcel to be subdivided and its relationship to surrounding roads-
- (10) Names of owners and their property lines within the boundaries of the tract and adjoining such boundaries
- (11) Deed reference, tax map and parcel numbers
- (12) When the subdivision consists of land acquired from more than one source of title, the outlines of various tracts shall be indicated by dash lines and the identification of the respective tracts shall be placed on the plat
- (13) The boundary survey or the existing survey of record
- (14) Total area within the final plat, to nearest one-one thousandth of an acre-
- (15) Any proposed connections to public or community water and sewer systems
- (16) Any lot which has been designated by the health department as not suitable for an individual sewage disposal system shall be replatted so that all lots on the final plat are suitable for individual sewage disposal systems, unless public or community sewer is being installed by the developer-
- (17) Numerical lot and block numbers.
- ~~(6)~~(18) The exact layout, including all dimensions, both linear and angular, for locating lots, adjoining streets, proposed and existing streets and easements. The linear dimensions shall be expressed in feet and hundredths of a foot and the angular measurements shall be expressed by bearings or angles in degrees, minutes and seconds. The accurate location and dimensions by bearings and distances with all curve data shall be shown on all lots and street lines and center lines of streets. The data of all curves along the street frontages shall be shown in detail at the curve or in a curve data table containing the following: radius, arc, chord and chord bearings. Survey accuracy shall result in a closure of one (1) in ten thousand (10,000) or better-

(19) Numerical lot and block numbers. All survey monuments, lot corners, block markers and benchmarks, together with their description

~~(7)(1)~~

(20) All existing public and private streets and other rights-of-way, their names, numbers and widths

(8)(21) Street names, as approved by the Botetourt County E-911 Coordinator:

~~(9)(1) Total area within the final plat, to nearest one one thousandth of an acre.~~

(22) For plats that contain private roads or streets, the following note shall be shown on the plat:

All streets in this subdivision do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the department of transportation or Botetourt County and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board.

~~(10)(1) Setback and yard requirements.~~

~~(11) All survey monuments, lot corners, block markers and benchmarks, together with their description.~~

(23) Easements

(24) For plats that contain common or shared easements, the following note shall be shown on the plat:

Whenever the board of supervisors shall determine that any pipes, cables, poles, equipment, or other facilities installed by or for any utility after the recordation of this subdivision plat in any street right-of-way or stormwater management easement shown on this plat must be relocated or removed, the owner or operator of such facilities shall relocate or remove the same at its expense in accordance with the order of the board.

(25) Existing zoning and any proffers associated with the property; proof of any special exceptions, variances, or waivers necessary for the subdivision, and the existing zoning of adjoining properties

(26) Setback and yard requirements:

(27) Existing buildings within the boundaries of the tract

(28) Water courses and their names

(29) Location of 100-year floodplain as shown on the most recent Federal Emergency Management Agency (FEMA) maps

(30) Existing topography as required by the agent.

(31) Preliminary soils survey or statement of public water/sewer availability.

- (32) Preliminary stormwater management plans are required by the agent.
- (33) All parcels of land to be dedicated for public use or ownership; the prospective owner of such public use sites and the conditions of such dedication
- (34) Any areas of common open space.
- (35) Any deed covenants which may affect the type or location of structures, use of properties, or access to public rights-of-way.
- (36) A land-disturbing permit for the subdivision in accordance with chapter 10 of the Code.
- (37) Certificates signed by the surveyor setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.
- (38) The endorsement of the surveyor duly licensed by the state who prepared the plat and, in addition, a statement that the platting or dedication of the following described land (here insert description of land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any, which statement shall be duly acknowledged before some officer authorized to take acknowledgements of deeds.
- (39) Provide area for subdivision agent, and, if applicable, Virginia Department of Health, Virginia Department of Transportation and Western Virginia Water Authority approval.
- (40)
- (41)
- ~~(12) The endorsement of the surveyor duly licensed by the state who prepared the plat and, in addition, a statement that the platting or dedication of the following described land (here insert description of land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any, which statement shall be duly acknowledged before some officer authorized to take acknowledgements of deeds.~~
- ~~(13) Certificates signed by the surveyor setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.~~
- ~~(14) A land-disturbing permit for the subdivision in accordance with chapter 10 of the Code.~~
- ~~(15)~~(42) A certificate signed by the highway engineer that all proposed public streets or roads within the subdivision meet department of transportation standards.
- ~~(16)(1) Any deed covenants which may affect the type or location of structures, use of properties, or access to public rights of way.~~

~~(17)(1) Any lot which has been designated by the health department as not suitable for an individual sewage disposal system shall be replatted so that all lots on the final plat are suitable for individual sewage disposal systems, unless public or community sewer is being installed by the developer.~~

~~(18)(1) For plats that contain common or shared easements, the following note shall be shown on the plat:~~

~~Whenever the board of supervisors shall determine that any pipes, cables, poles, equipment, or other facilities installed by or for any utility after the recordation of this subdivision plat in any street right of way or stormwater management easement shown on this plat must be relocated or removed, the owner or operator of such facilities shall relocate or remove the same at its expense in accordance with the order of the board.~~

~~(20)(43)~~ Survey requirements. All multiple lot subdivision plats shall be based on a current field survey performed in accordance with the "Minimum Standards and Procedures for Land Boundary Surveying Practice" promulgated by the Virginia Department of Professional and Occupational Regulation (18 V.A.C. § 10-20-370) as amended. All single-lot subdivisions, including family, low density, agricultural divisions and boundary line adjustments or resubdivisions, may, with the consent of the parties to the subsequent conveyance and the waiver of the subdivision agent, be based on a plat from records of previous surveys without additional monumentation, or combination of same with a partial current field survey. In either event, all of the plat information listed as required in said minimum standards and procedures shall be shown together with such additional items required by this chapter.

~~(21)(1) For plats that contain private roads or streets, the following note shall be shown on the plat:~~

~~All streets in this subdivision do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the department of transportation or Botetourt County and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board.~~

Sec. 21-105. Certificates.

The following certificates shall appear on the final plat, and shall be executed as appropriate:

- (1) I certify that, to the best of my knowledge and belief, all requirements of the Board of Supervisors and ordinances of the County, regarding the platting of subdivisions within the County, have been complied with (to be signed, dated by owner for all major subdivisions).
- ~~(2) Provide area for subdivision agent, and, if applicable, Virginia Department of Health, Virginia Department of Transportation and Western Virginia Water Authority approval.~~

Sec. 21-106. Posting of bond.

- (a) After approval of the final plat, the subdivider shall post a surety bond, cash bond, or an irrevocable letter of credit in an amount sufficient to cover the costs of necessary improvements as determined by the agent. A proposed surety bond, cash bond, or irrevocable letter of credit will not be accepted by the county until it is approved by the county attorney. Improvements to be covered shall include, without limitations, all roads, streets, drainage facilities, water and sewer facilities, other utility facilities and all other required or proffered facilities. The bond or irrevocable letter of credit shall be terminated only with the consent of the agent.
- (b) In determining the cost of required improvements and the amount of the bond, the agent may consult with a duly licensed engineer who shall prepare this data for the agent or, preferably, shall require a bona fide estimate of the cost improvements to be furnished him by the subdivider to assist the agent in determining the amount of the bond.
- (c) The agent shall review progress on all subdivisions on an annual basis to determine if adjustment of the amount of the bond is necessary.
- (d) All such bonded subdivision improvements shall be accomplished and roads accepted into the Virginia department of transportation system within two (2) years from date of approval of the subdivision and the bond shall guarantee such performance. The bond shall not be released until the construction has been inspected and approved by the highway engineer, county department of public works and other appropriate authorized agents.
- (e) The county subdivision agent shall be empowered to grant up to two (2) six-month extensions or one (1) twelve-month extension to this two-year period when extenuating circumstances or hardship conditions are found to exist. The agent shall make such determination within thirty (30) days of receiving such request from the applicant in writing. If proposed public street(s) or public street improvements have not been approved by the Virginia Department of Transportation for acceptance into the Virginia State Highway System within the time limits specified, the county subdivision agent shall immediately initiate appropriate bond collection procedures.

Sec. 21-106.1. Additional submissions.

Prior to final plat approval the agent may require the applicant to submit any of the following:

- (a) Deed of dedication and/or deed of easement for all rights of way, easements, or other estates or improvements which will be conveyed to the county, or other entity, as a result of the subdivision.
- (b) Any declaration of restrictive covenants applicable to the subdivision.
- (c) Any property owners' association documents applicable to the subdivision.
- (d) Any construction plans, profiles and/or specifications applicable to the subdivision, including water, sewer and storm management systems.

- (e) As built construction drawings for all utilities or other facilities applicable to the subdivision.

Sec. 21-107. Recording of plat.

After approval of the final plat and the posting of the bond, where applicable, approval of the final plat shall be written by the agent on the face thereof. When thus executed and approved as herein specified, the plat shall be filed and recorded in the office of the clerk of the circuit court and indexed under the names of the landowners signing the statement specified in section 21-103~~5~~ and under the name of the subdivision.

Sec. 21-108. Effect of plat recordation.

- (a) Unless a plat is filed with the clerk of the Circuit Court for Botetourt County within six months after final approval thereof, such approval shall be null and void and the plat marked void and returned to the agent. However, where construction of facilities to be dedicated for public uses has commenced pursuant to an approved plan or permit with surety approved by the agent, or where the developer has furnished surety to the agent in the amount of the estimated cost of construction of such facilities, the time for plat recordation shall be extended to one year after final approval or to such time as may be specified in any valid surety or performance agreement.
- (b) Recordation of the final plat with the clerk of the circuit court shall operate to transfer, in fee simple, to the county such land or portion of the premises platted as is on such plat set apart for public streets, or other public use and to transfer to the county any easement indicated on such plat to create a public right of passage over same. Rights of subdividers of land that have been validly reserved are not to be affected.

Sec. 21-108.1. Deeds.

Deeds conveying lots within an approved subdivision must contain the following language where applicable:

All streets in this subdivision do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the department of transportation or Botetourt County and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board.

Sec. 21-109. Changes in approved plat.

- (a) No change, erasure or revision shall be made on the final plat, nor on accompanying data sheets, after approval of the agent has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the agent.
- (b) For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally recorded prior to the adoption of this chapter, such parcel shall be approved by the agent by the applicable procedures, rules and regulations for a subdivision approval as provided for herein.

Sec. 21-110. Vacation of recorded plat.

Any plat recorded, or part thereof, may be vacated with the consent of the board of supervisors and the owners, as specified in section 15.2-2271 of the Code of Virginia. In cases where any lot has been sold, the plat or part thereof may be vacated according to either common agreement of all lot owners on the plat indicated by a written statement or by ordinance of the board of supervisors, as specified in 15.2- 2272.

...

Sec. 21-135. - Monuments.

- (a) All ~~minor~~ subdivisions in the A-1, FC, RR Zoning Districts shall be monumented in accordance with "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370).
- (b) All ~~major~~ subdivisions in all other zoning districts shall be monumented as follows:
 - (1) The outside boundary of the tract being subdivided shall be monumented in accordance with "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370). In addition, the substance and size of each monument found shall be noted on the final plat of the subdivision. All replacement monuments set shall meet the requirements for new division corners as set forth below.
 - (2) All new division corners shall be monumented with solid iron or pipe not less than one-half (½) inch in diameter and twenty-four (24) inches long, driven so as to be flush with the finished grade, and capped with metal or plastic stamped with the surveyors name, initials, and/or license number so as to distinguish monuments set by the original surveyor from replacement monuments set by others. Where conditions do not allow the specified monument to be placed as required at the lot corner, the corner shall be marked as appropriate to the conditions and the specified monument shall be set on line as near to the corner as conditions allow and such location shall be noted on the final plat, or the schedule of monumentation subsequently recorded, as appropriate.
 - (3) All major subdivisions with bonded improvements shall meet the following requirements.
 - a. The surveyor preparing the final plat shall submit with same a letter or schedule setting forth his charge for monumenting, as required above, the subdivision being submitted and the developer shall bond same along with other improvements.
 - b. Before the bond will be released the surveyor shall submit a letter or schedule certifying that all required monuments were set after construction of improvements bonded by the developer and after the installation of underground utilities by others, or that monuments set prior to such construction were field verified after same and found to be as required. In addition, any variations in type or location of monument from what was shown on the final plat of the subdivision, shall be noted on a schedule of monumentation, which may be a copy of the horizontal layout sheet of the final plat, and recorded in the office of the clerk of the circuit court, with a title block containing all names the original final plat of the subdivision was indexed under.
 - c. Where corner monumentation is to be permanently placed after construction, same shall be noted on the final plat of the subdivision, and precise reference points shall

be shown on said final plat, or made available to other surveyors, for the location of improvements prior to final monumentation.

(Res. No. 09-02-08, 2-24-09)

AGENDA ITEM: Presentation of report from Vacation Rental and Homestay Advisory Committee

Administrator's Comments:

The Vacation Rental and Homestay Advisory Committee (VRHSAC) was formed in the fall and met to discuss better incorporating short-term rental uses in the County. The attached memo and report present the findings of that committee.

This report, along with next steps and a proposed timeline, were presented to the Planning Commission at a work session during the January meeting. The Planning Commission recommended the following timeline to incorporate text amendments into the Zoning Ordinance.

Proposed timeline:

February	Draft text amendments and permit
Mid-March	Legal review
March 31	Committee review
April	Joint Work Session with Planning Commission; authorize Public Hearing
May	Public Hearings

Staff is prepared to draft amendments, a "short-term rental permit" form, and investigate methods of enforcement and present findings to the VRHSAC by the end of March. The Planning Commission and committee requested a joint work session with the Board of Supervisors in April. Dependent on the feedback during the work session, staff could present proposed amendments at a public hearing as early as May.

Recommendation:

1. Allow staff to give this presentation and ask any questions as necessary.
2. Authorize staff to prepare proposed amendments and a draft permit, to be presented at a joint work session with the Planning Commission in April 2016.

Attachments

Mary K. Kline 1/20/2016

MEMORANDUM

TO: Members, Botetourt County Planning Commission

FROM: Amanda McGee, County Planner

SUBJECT: Vacation Rental and Homestay Advisory Committee Report

DATE: January 5, 2016

CC: Nicole Pendleton, Planning Manager/Zoning Administrator
David Moorman, Deputy County Administrator
Mike Lockaby, County Attorney

The goal of the Vacation Rental and Homestay Advisory Committee Report is to provide guidance in updating the zoning ordinance to better incorporate vacation rental uses. In order to find a regulatory structure suitable for Botetourt County's unique economic and social needs, the Vacation Rental and Homestay Advisory Committee (VRHSAC) was formed. This committee was composed of membership from the vacation rental ownership community, the Board of Supervisors, and the Planning Commission, with support provided by the Community Development Department's Office of Planning and Zoning.

The committee met for its kickoff meeting on October 7, 2015. Subsequent meetings took place on November 4th and December 2nd. The report was prepared for presentation to the Planning Commission and Board of Supervisors in January 2016, with specific text amendments to follow in the spring of 2016. The report addresses changes in current use definitions, additional use definitions which may be added, and changes in the regulatory structure of vacation rentals. It also provided guidance on methods of enforcement for violations within the county and next steps for adopting zoning code amendments.

The document is attached for your review. The report will be presented at the January work session, where staff will be requesting feedback on a proposed timeline for the drafting of text amendments. The Board of Supervisors has asked that this timeline and the report be presented at their January meeting.



VACATION RENTAL AND HOMESTAY ADVISORY COMMITTEE

Recommendations to the Planning Commission and
Board of Supervisors

Presented on January 11, 2016

Vacation Rental and Homestay Advisory Committee

Jack Leffel

Todd Dodson

Hiawatha Nicely

Sam Foster

Sherry Crumley

Mitch Bowman

Teresa Hayes

Prepared by:

Botetourt County
Department of Community Development
Office of Planning and Zoning



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Summary

This document is designed to provide recommendations and guidance in formulating amendments to the Botetourt County Zoning Ordinance. Amendments will more clearly define vacation rental uses in the county, as well as permit additional uses which currently are not listed in the zoning ordinance. These changes allow property owners to utilize their property in multiple ways, where reasonable; allow for a clear and consistent permitting process; clarify enforcement procedures; and provide for additional revenue for property owners and to the county.

Major takeaways from the proposals made in this document include

Changes in listed uses

- Two uses will be added, Cabin/Cottage and Homestay.
- Several uses will be modified for clarity and to reduce overlap, including Boardinghouse, Rural Resort, Bed and Breakfast, and Recreational Vehicle Park.
- Mention of tourist houses and rooming houses will be removed from the zoning code.

Changes in regulatory structure

- Use districts where vacation rentals are allowable have been expanded from the previously restrictive A-1, FC, AR, and RR to include some available uses in predominantly residential or business use districts by special exception (SEP) in the proposed regulatory structure.
- A permitting process has been proposed which will allow some types of vacation rentals to be permitted administratively, rather than going through the public hearing process to obtain Board of Supervisor approval of a Special Exceptions Permit (SEP).
- Supplemental regulations have been expanded and will provide support for the administrative permitting process.

This document also provides guidance in methods of enforcement for violations within Botetourt County. Lastly, the document describes the next steps which must be undertaken in order to implement the regulatory structure proposed.

Rationale

The goal of this report is to provide guidance in updating the zoning ordinance to better incorporate vacation rental uses. Botetourt County will join several other Virginia localities in adapting its ordinance to better reflect the needs of a changing economy. Localities such as Roanoke City, Richmond, and Charlottesville have adopted recent changes in their ordinances, while localities such as Bedford and Franklin have seen the need for a special regulatory structure for some time. Each of the localities in question has taken a different approach to regulating vacation rentals in their communities. In order to find a regulatory structure suitable for Botetourt County's unique economic and social needs, the Vacation Rental and Homestay Advisory Committee (VRHSAC) was formed. This committee was composed of membership from the vacation rental ownership community, the Board of Supervisors, and the Planning Commission, with support provided by the Community Development Department's Office of Planning and Zoning.

The formation of the VRHSAC was the result of the frustrations of staff and citizens alike. New vacation rental requests in the county did not always conform with current definitions in the zoning ordinance. Citizens petitioning to be allowed to use their land in ways that were not clearly defined by the ordinance were often flustered to find their projects shoehorned into an ill-fitting use definition, or upset to find that they could not legally undertake a project at all. Staff also felt that the restrictions being placed on citizens were at counter purposes to the goals of the ordinance as it had originally been written, and did not serve the needs of the county. Tensions culminated in the summer of 2015 with several high profile requests by citizens which staff was unable to resolve in a manner which sat easily with either citizens or government officials. In order to resolve this conflict, Botetourt County governing members invited citizen vacation rental stakeholders to work with them in providing a guiding document that would shape future regulatory structure for vacation rentals. To that end, this document will attempt to condense the outcomes of the committee meetings into a usable guiding document for the Planning Commission and Board of Supervisors.

The VRHSAC is itself made up of seven members, three citizen vacation rental owners and two members each of the Planning Commission and Board of Supervisors. Members are listed at the beginning of this document. County staff is very appreciative of the work and input provided during this process, and the committee will be invited to continue engagement throughout the final steps of the text amendment public hearing process.

The committee met for its kickoff meeting on October 7, 2015. Subsequent meetings took place on November 4th and December 2nd. This document was prepared for presentation to the Planning Commission and Board of Supervisors in January 2016, with specific text amendments to follow in the spring of 2016.

Existing Vacation Rental Zoning Regulations

Botetourt County has several uses listed in its zoning ordinance which could be considered vacation rental or short term rental uses. A list of these uses and the zoning districts in which they are permitted, either as a by right use or through the granting of a Special Exceptions Permit (SEP), is included in Table 1.

Current zoning regulations are inconsistent, causing confusion for property owners and staff alike, and also give rise to enforcement issues. Boardinghouses, for example, are mentioned only within the business (B-2) zoning district and are permitted by right, whereas all other vacation rental uses require SEP and are restricted to the Agricultural (A-1), Forest Conservation (FC), and Rural Residential (RR) Use Districts. This scattered regulatory structure raises concerns regarding how regulations on different vacation rental uses and the permitting and enforcement of these uses in different districts affect the county overall.

Short Term Rental Use	Zoning District			
	A-1	FC	RR	B-2
Bed and Breakfast, Homestay	S*	S*	S*	
Bed and Breakfast, Inn	S*	S*	S*	
Boarding Camp	S	S		
Campground	S	S		
Country Inn	S*			
Hunting Lodge, Game Preserve	S	S	S	
Rural Resort	S*			
Rural Retreat	S*	S*		
Recreational Vehicle Park	S			
Tourist houses, Rooming Houses and Boardinghouses				P

*Table 1 Current Regulatory Structure, where S = SEP, P = By Right, and * indicates supplemental regulations*

In addition, many of the uses in question are overlapping or duplicated by their definition. A list of the current definitions is included in Table 2. Specific points of overlap include definitions of the Boarding Camp, Campground, and Hunting Lodge, Game Preserve uses, which all describe areas used for outdoor recreation with or without accommodations; and Rural Resort and Country Inn, which both describe inn-like structures with restaurant facilities and rental of up to or more than thirty rooms. Recreational Vehicle Park, indeed, does not even have an explicit definition.

As currently written, the zoning ordinance requires a property owner to be granted an SEP by the Board. Some of these uses are governed by supplemental regulations which place specific requirements upon the use to be undertaken, but many of them are not. The special exception process is a time-consuming one, imposes a fee on the property owner, and also expends county resources. The committee considered whether new and existing uses should be permitted only by SEP, or should be regulated by a simpler, administrative permitting process. Discussion of this alternative permitting process will follow in the next section.

Short Term Rental Use	Definition
Bed and Breakfast, Homestay	An owner-occupied single-family dwelling, or portion thereof, where short-term lodging is provided, with or without meals, for compensation, to transient guests only. Meals may be provided to guests only. Up to five guest rooms may be provided.
Bed and Breakfast, Inn	A single-family dwelling, or portion thereof, where short-term lodging is provided for compensation to transient guests only. The operator may or may not live on the premises. Meals may be provided to guests only. Up to fifteen guest rooms may be provided.
Boarding Camp	As for campground, except that uses and structures shall be permitted for the lodging of guests engaged in outdoor recreation activities. Boarding camp does not mean mobile home park as defined herein.
Campground	A lot or tract of land operated either as a commercial or non-commercial enterprise in which seasonal facilities are provided for all or any of the following: camping in tents, picnicking, boating, fishing, swimming, outdoor games and sports, and activities incidental and related to the foregoing, but not including golf, golf driving ranges, miniature golf, mechanical amusement devices or permanent housing facilities for guests. Campground does not mean recreational vehicle park nor mobile home park as defined herein.
Country Inn	A business which offers accommodations and dining in a rural area. Overnight lodging of up to thirty rooms is available and a full-service restaurant may provide meals to guests and the general public.
Hunting Lodge, Game Preserve	An area of land, with or without limited overnight accommodations, upon which a fee is charged for public or private hunting or fishing and/or upon which game or fish are grown or stocked specifically for hunting or fishing thereon, or for transport to other sites for similar purposes.
Rural Resort	A private establishment consisting of a detached structure or structures located in a rural setting in which lodging of greater than thirty rooms is available to transient guests for compensation as the principal use, and which may include conference and meeting facilities, restaurant and/or banquet facilities and/or recreational amenities of a rural nature.
Rural Retreat	A private, corporate facility, compatible with the surrounding rural environment, in which training programs, seminars, conferences and related activities are conducted.
Recreational Vehicle Park	Not defined.
Tourist houses, Rooming Houses and Boardinghouses	A dwelling where, for compensation, lodging, with or without meals, is provided at least three (3) and up to fourteen (14) persons, not related by blood, marriage or adoption. Housing provided for juveniles through the department of social services is exempted.

Table 2 Current Uses and Definitions

Proposed Changes to Vacation Rental Zoning Regulations

Changes in listed uses

Table 3 shows the considerations reviewed and discussed by the committee which should be used to modify rental definitions within the Zoning Ordinance. This table, as well as Table 4, will be used by staff to draft proposed text amendments which reflect the below uses and definitions, and staff will simultaneously review the existing ordinance for any conflicts or overlap. Of specific interest are the two new definitions which will be added to the zoning ordinance, Cabin or Cottage and Homestay. Creating a method for defining these two types of uses was an important goal of this document, as both were previously ill-defined in the ordinance or not allowed at all.

While Table 3 is helpful, it is important to restate some of the additional discussion points made by the Committee which may not fit within this table. One of these concerns is the lending of a second home to friends and family. This second home use is defined primarily by the fact that it is not a business transaction. Allowing someone to stay on your property without compensation would be exempt from the regulations proposed, but should be defined in any amendment to the ordinance.

To provide clarity, the committee discussed renaming some of the uses listed below. Bed and Breakfast, Inn, has been renamed to Bed and Breakfast. The committee also tasked staff with renaming the Boarding Camp use to be a descriptor of a property with multiple cabin or cottage structures. Staff chose the tentative term Cabin or Cottage, Resort.

To avoid overlap, adopting a new, modified definition of Boardinghouse is an important part of recommendations shown in Table 3. Boardinghouse was previously named Tourist Houses, Rooming Houses, and Boardinghouses. All mention of tourist houses or tourist homes should be removed from the ordinance and replaced with accurate, defined short term rental uses. A Boardinghouse as redefined within this ordinance would be a similar use to a dormitory, allowing businesses and schools within the county to provide temporary or longer-term housing for employees and students. The uses of Campground, Hunting Lodge/Game Preserve, Rural Resort, and Rural Retreat would remain unchanged. Country Inn was removed as the only characterization differentiating this use was having a full service restaurant as part of this use; as both Country Inn and Rural Resort require SEP review and approval and were described as similar in use and intensity, the committee felt these uses could be combined.

Lastly, two notes should be made about the definition considerations listed in Table 3. The first of these, indicated by a ⁺, is in regards to the Homestay use. The table shows only one room being allowed for a Homestay. However, it is the opinion of staff that it may be beneficial to instead link Homestay rentals to specific contracts. This would work by limiting the property owner to one rental contract at a time. However, the property owner would be able to rent to a larger number of people in that party, allowing for large families with multiple children. The property owner could at that time rent up to a maximum number of rooms, such as a maximum of four, the rubric used by Roanoke City. Linking the Homestay rental to a contract would reduce traffic, and neighborhood impact without unfairly limiting property owners.

The second note, marked by a ⁺⁺, deals with acreage requirements that may be placed on some uses. Staff wishes to point out that while a minimum acreage requirement may be set by supplemental regulations, it should not supersede the underlying regulations on dwelling units and accessory dwelling

units within the zoning districts. The greater acreage requirement should win out in this case, and the supplemental regulations must be worded accordingly.

Short Term Rental Use	Definition Considerations						
	Number of Rooms	Time Limits	Meals	Management	Number of Guests	Acreage Requirements	Health Department Approval Required
New Uses							
Cabin or Cottage	Entire dwelling unit (single dwelling unit)	30 days	No	24 hour off-site	Tied to septic capacity, or 2 persons per bedroom	1 acre ⁺⁺	No
Homestay	1 ⁺	14 days	No	Owner on-site	Tied to septic capacity, or 2 persons per bedroom		No
Modified Uses							
Bed and Breakfast	15	14 days	Yes; Guests only	On-site management	Tied to septic capacity.		Yes
Cabin or Cottage, Resort	Entire dwelling unit (up to 5 dwelling units)	30 days	No	On-site management	2 persons per bedroom; maximum of 30 persons	1 acre per dwelling unit	No
Boardinghouse use		Over 30 days	Yes; Guests only	On-site management	14 persons		Yes
Rural Resort		30 days	Yes; may have full-service restaurant	On-site management		2.5 acres	Yes
Recreational Vehicle Park		30 days	No	On-site management		.5 acre per vehicle	No
Removed Uses							
Country Inn							
Tourist houses, Rooming Houses and Boardinghouses (removed in the collective in B-2)							

Table 3 New Uses and Definition Considerations

Regulatory structure

A finalized list of the uses above and the proposed regulatory structure to be adopted for short term rentals in the county is shown in Table 4. The committee feels that some of the uses should be added by special exception to business or residential districts, though only by special exception. Two new uses, Homestay and Cabin or Cottage, will be permitted by right in Agricultural (A-1), Forest Conservation (FC), and Rural Residential (RR) districts, subject to a permitting process similar to that required to receive a home occupation permit in these districts. More on this permitting process is included below.

The supplemental regulations governing short term rentals in the county should be expanded as part of the text amendment to include not only Bed and Breakfast, Rural Resort, and Rural Retreat, but also Cabin or Cottage, Resort, Boardinghouse, Cabin, Homestay, and Recreational Vehicle Park. Uses which have supplemental regulations should refer to those regulations within the list of uses permitted within the zoning district.

Short Term Rental Use	Zoning District										
	A-1	FC	RR	B-1	B-2	B-3	R-1	R-2	R-3	TND	PUD
Bed and Breakfast	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*
Cabin or Cottage, Resort	S*	S*	S*								S*
Boardinghouse	S*	S*	S*	S*	S*	S*			S*	S*	S*
Cabin or Cottage	P*	P*	P*				S*	S*	S*	S*	S*
Campground	S	S	S								
Homestay	P*	P*	P*				S*	S*	S*	S*	
Hunting Lodge, Game Preserve	S	S	S								
Recreational Vehicle Park	S*	S*	S*								
Rural Resort	S*	S*	S*								
Rural Retreat	S*	S*	S*								

Table 4 New Regulatory Structures, where S = SEP, P = By Right, and * indicates supplemental regulations

As proposed by the committee, Cabin or Cottage and Homestay uses would be allowed by right, with the approval of a short-term rental permit. However, these uses, as well as Bed and Breakfast and Boardinghouse (in R-3 only), would be permitted only by SEP in the Residential Use Districts, such as R-1, R-2, R-3 and TND and PUD. A Bed and Breakfast may be established by a special exception permit, allowing the Board of Supervisors to place conditions on any such development. This owner-operated facility is seen as being of sufficiently low impact to a residential neighborhood, if managed correctly, and with potential conditions imposed by the Board, that it may conform to surrounding uses in this district.

A Cabin may also be a use permitted by special exception in these neighborhoods, as the dwelling unit will be used similar to a more long term rental in this case. However, to reduce impacts on the housing market in Botetourt County, the Board should have a chance to consider each application for a cabin use in a residential area carefully, and impose and conditions it deems necessary. Similarly, the Homestay

use can have negative impacts on housing and neighborhood traffic, so should be regulated by SEP in residential areas.

Lastly, the Boardinghouse use should be permitted on a case-by-case basis in Residential (R-3) districts because of the emphasis in these districts on increased density. The Boardinghouse is envisioned as a residence for those working or otherwise visiting the county on a more regular basis. The impacts on traffic and neighborhood character caused by this kind of development, given the density of the R-3 district, should be minimal.

Permitting

An important aspect to eliminate the need for operators of Homestay and Cabin/Cottages to undergo the Special Exception Permit (SEP) process, is the introduction of an administrative permitting process. This process will resemble the current process for Home Occupation Permits. Much like the Home Occupation Permit, an applicant will be required to provide a brief description of the use in question and sign that they have read the requirements and restrictions for undertaking said use. These requirements and restrictions will be listed as part of the amended Supplemental Regulations for short term rentals. Many of these requirements are outlined in Table 3, above, and are explored in more detail below.

This permit form would require the applicant to certify, by signature, the following:

1. There shall be no change in the outside appearance of the dwelling or premises.
2. Applicant shall certify that they will dispose of all waste in accordance with local, state, and federal law.
3. There shall be a working fire extinguisher and smoke detectors as required by applicable building and safety codes.
4. Noise generated off the lot or off the premises shall be in compliance with the county noise ordinance.
5. All vehicles of tenants shall be parked on the lot on which the dwelling is located and shall be parked in driveways or parking areas designed and built to be parking areas.

Some additional information which may be required from the applicant includes, but is not limited to:

1. A contact number in which the manager or operator of the rental will be available 24 hours each day that the short-term rental is occupied;
2. Correspondence from the health department which indicates the septic tank and drainfield capacity. If unavailable, the maximum number of persons who can occupy the rental shall be two adults per bedroom and not more than four persons per bedroom;
3. the maximum perceived duration of rentals; and
4. Directions to property from Fincastle.

Notice to applicants on the application should provide that no approvals constitute evidence that the structure is safe for rental occupancy, and the owner or operator should be required to provide notice to the applicant that Botetourt County does not have a minimum property maintenance code.

There should be a process in place so that once the permit is approved, Planning and Zoning staff will forward a copy of the permit to the Commissioner of Revenue, the Director of Public Safety and the Health Department, and the Department of Tourism.

An example of the Home Occupation Permit form, as well as an example of a Short Term Rental Permit form from Bedford County, is included in the appendix. Additional pieces of information may be included as the new form is finalized by staff. Current and future supplemental regulations will need to be rewritten to include the new permitting process for Homestay and Cabin or Cottage uses. These supplemental regulations should be included on the form to make them available to citizens.

Methods of enforcement

Currently, most short term rental activities in the county are permissible only by Special Exception Permit. Should a property owner who has been granted an SEP not maintain conformance to the Zoning Ordinance, the Board of Supervisors must take action to revoke the SEP. Generally, other violations of the Zoning Ordinance are enforced through Section 25-522 of the Zoning Ordinance.

Sec. 25-522. - Enforcement and penalties.

(a) Zoning administrator. Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the cause and the basis thereof and shall be filed with the zoning administrator. The administrator shall properly record such complaint, immediately investigate and take action thereon as provided by this chapter.

Upon his becoming aware of any violation of any provision of this chapter, the zoning administrator shall serve notice of such violation on the person committing or permitting such violation. If such violation has not ceased within such reasonable time as the zoning administrator has specified in such notice, he shall institute such action as may be necessary to terminate the violation.

The zoning administrator shall order the discontinuance of illegal use of land, buildings or structures, removal of illegal building or structures or of illegal additions, alterations or structural changes and discontinuance of any illegal work being done, or shall take any other action authorized by this chapter to ensure compliance with, or to prevent violation of, its provisions.

Notice of a zoning violation or a written order of the zoning administrator shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within thirty (30) days, and that the decision shall be final and unappealable if not appealed within thirty (30) days.

(b) Violations. Any person, whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this chapter, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building on any land in violation of any detailed statement or plan submitted by him and approved under the provisions of this chapter, shall be guilty of a Class 1 misdemeanor. Each day upon which such violation continues shall constitute a separate offense.

Any building erected contrary to any of the provisions of this chapter and any use of any building or land which is conducted, operated or maintained contrary to any of the provisions of this chapter shall be a violation of this chapter and the same is hereby declared to be unlawful. The zoning administrator may initiate injunction, mandamus, abatement or any other

appropriate action to prevent, enjoin, abate or remove such erection or use in violation of any provision of this chapter.

The remedies provided for in this section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Botetourt County staff are generally notified of a violation via a written complaint against the property. At that time, staff will investigate the potential violation. If a violation is judged to have occurred, a notice will be sent by the Zoning Administrator to the property owner acknowledging the violation and giving the property owner a chance to discontinue the activity in question. If the property is brought into compliance with regulations, the matter is dropped. If it is not and follow-up inspections show that the violation has persisted, the Zoning Administrator will issue an official violation notice giving the property owner a period of days determined by the Zoning Administrator to discontinue the violation or be brought to court on criminal charges. At this point the dispute is mediated by a judge or other judicial body. Violations are considered a Class 1 misdemeanor in Botetourt County. Each day a violation continues constitutes a separate offense.

In addition, staff must consult with counsel to determine the feasibility of enforcement of administrative permits. The process for "revoking" a permit must be evaluated. In addition, further consideration must be given to situations in which a use of a property intensify in a way that it no longer conforms to a by-right use, staff needs mechanisms in place to appropriately work with owners to

Any changes to the current regulations on enforcement would be done through an amendment of Section 25-522, Enforcement and penalties. Currently, violations of the zoning ordinance are only enforced by criminal penalties. The Board could consider civil penalties for certain types of offenses. Enabling civil penalties through an ordinance amendment would require further research to establish a uniform schedule of civil penalties. Such research would need to draw upon the civil penalties that have been adopted by other localities within Virginia. Should the Board of Supervisors determine that civil penalties would be a beneficial addition to the county regulatory structure, this would need to be incorporated into the timeline which should evolve in response to this document. This change would require additional research by staff.

Lastly, it is important to note the particular nature of the proposed permit process. Should the intensity of a given use increase, it may mean that the use requires a special exception permit to continue. Take, for example, the case of a Cabin or Cottage use. This use is defined by the rental of a single dwelling unit on a given parcel. Should more than one unit exist on a parcel and be rented out, the use becomes more intense. In this case, the Cabin rental of multiple dwelling units is upgraded, under the proposed regulatory structure, to a Cabin or Cottage, Resort. The Cabin or Cottage, Resort requires a special exception permit, or operations must cease on the site.

In the case where such a violation occurs for a short term rental, alternate methods of ensuring compliance with the Zoning Ordinance aside from issuing an official violation notice, which may result in a court hearing, may include revoking a business license or removing a listing from the county Tourism Department website. These options would need to be explored with the Commissioner of the Revenue and other county staff responsible for issuing and maintaining business licenses, as well as with the Office of Tourism.

Next Steps

This document is to be presented to the Planning Commission on January 11, 2015. After gathering feedback from the Commission, staff is prepared to discuss a potential timeline for finalizing the proposed text amendments and permitting process for consideration by the Planning Commission and Board of Supervisors, with input from the Committee and the public. The following outstanding tasks must be completed:

1. Draft text amendments: The actual amendments must be written and reviewed by county staff.
2. Draft permit: The proposed permit must be designed by county staff, and the permitting processes and procedures established internally.
3. Legal review: All of the above items must be reviewed by legal counsel for conformance with local and state codes.
4. Notify VRHSAC of draft amendments: The Vacation Rental and Homestay Advisory Committee members should be given a chance to review the draft ordinance amendments to be sure that it conforms with the recommendations of the membership.
5. Joint work session: The Planning Commission and Board of Supervisors should conduct a joint work session to discuss the proposed text amendments.
6. Public hearings on amendments: The final draft of the text amendments are required to be considered via public hearing to allow for public comment.

Following the consideration of the report, staff will present the Planning Commission's recommendation to the Board at their January meeting.

Appendix

BOTETOURT COUNTY HOME OCCUPATION REQUIREMENTS & PERMIT APPLICATION

Please read the following Home Occupation ordinance before completing the application.
In §25-435, a home occupation may be conducted in your dwelling provided:

- a. No person other than members of the family residing on the premises shall be engaged in such occupation on the premises. An approved home occupation permit and business license is required for all home occupations in accordance with the Botetourt County Code.
- b. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by the family. The maximum aggregate square footage of a home occupation, whether conducted in the dwelling unit, accessory structure or both, shall not exceed 500 sq. ft., including storage of materials or products associated with the home occupation.
- c. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation, other than one sign, in accord with the sign regulations in Article IV, Division 2 of this chapter.
- d. There shall be no on-site sales of goods, merchandise, or inventory, other than items handcrafted on the premises in connection with such home occupation. Clients traveling to the dwelling for personal services (such as tutor, massage therapy, pet grooming, beauty salon, and similar uses) in connection with the home occupation shall not exceed five (5) per day. Internet sales/consulting is permitted, providing that all sales are conducted off-site and/or shipped to the purchaser of the product.
- e. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood (ten (10) vehicle trips per day) per dwelling and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- f. Pickup or delivery by tractor trailer is prohibited. Pickup or delivery for such home occupations shall be limited to the United States Postal Service, United Parcel Service, FedEx or other similar carrier service.
- g. No equipment or process shall be used in the home occupation which creates noise, vibrations, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit, if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises.
- h. The home occupation shall not increase demand on water, sewer, utility or garbage collection services to the extent that the combined demand for the dwelling and home occupation does not exceed normal use of the property for residential purposes. All waste materials generated by a home occupation that are toxic or hazardous shall be disposed of in accordance with county and/or state and federal regulations.
- i. Parking of not more than one (1) commercial vehicle and/or one (1) cargo/utility trailer associated with an approved home occupation or home business shall be permitted, provided that such vehicles shall not include any tractor trailer or vehicle exceeding one and one-half (1½) ton capacity; cargo or utility trailers shall not exceed eight (8) feet, six (6) inches in width or sixteen (16) feet in length.

Upon receipt of the attached application, Staff will review your home occupation application to determine if you are in compliance, and may schedule a site visit.

When the required \$25 fee and this application are submitted to the Planning Office (540.473.8320), your request for a Home Occupation Permit will be reviewed. Please send these to: *Botetourt County Planning and Zoning*
5 West Main Street, Suite 100
Fincastle, VA 24090

Name of Applicant:		Physical address:	
Proposed name of business:		Business phone number:	Mailing Address, if different:
Explain in detail the proposed business operations to be performed at this address:			Exterior signage or displays? (Sign permit required)
Square footage to be used for home occupation within dwelling/accessory building (Maximum 500 sq. ft.)	Number of customer vehicles per day? (Maximum 5)	Does the proposed business involve delivery of products/materials to and from the premises? Describe the delivery truck (Ex. Post Office, UPS, etc.) (Tractor-trailers prohibited)	
Will you use a commercial vehicle?	Where will it be parked?	Will a cargo/utility trailer be utilized? If so, what size?	Will there be exterior storage?

Upon approval of the Home Occupation Permit, it is the responsibility of the applicant to obtain a Business License from the Botetourt County Commissioner of Revenue.

Note: Signature(s) must be notarized

I have read and understand the requirements/conditions as shown on Page 1, for a home occupation and will comply with these conditions. I understand that failure to comply constitutes a violation of the Botetourt County zoning ordinance and the home occupation permit may be revoked. I certify that my responses are accurate and correct.

Signature of applicant/property owner

Date

Signature of applicant/property owner

Date

State of Virginia

County of Botetourt to Wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 20__

by _____
(Name of applicant or other property owner)

(Name of property owner if different from applicant)

Notary Public (name, registration number, and other commission info)

Notary Public signature

Zoning Administrator or County Planner Approval:	Date:	Tax Map #	Zoning:

STAFF NOTES:



**BEDFORD COUNTY
ZONING PERMIT APPLICATION
SHORT TERM RENTAL
(PLEASE PRINT)**

PARCEL INFORMATION:

Tax Map #: _____
 Subdivision: _____
 Section: _____ Lot _____
 Street Address: _____

ZONING: *(to be completed by Staff)*

Parcel ID (RPC): _____
 Zoning District: R-1 R-2 PRD
 Magisterial District: _____ Election District: _____
 Overlay District(s): _____

OWNER INFORMATION:

Name _____
 Address _____
 City, State, Zip code _____
 Phone # _____
 Mobile # _____
 Email address _____

RENTAL AGENCY/AGENT:

Agency Name _____
 Address _____
 City, State, Zip code _____
 Phone #s Day time _____ Evening _____
 Email address _____
 Agent name _____

Directions to house from Bedford:

DWELLING INFORMATION:

Number of Bedrooms on Approved Sewage Disposal System Permit _____
 Maximum permitted overnight occupancy = # Bedrooms X 2 people (two yrs and over) _____
 Number of Working Smoke Detectors _____
 Number of Working Fire Extinguishers _____

ITEMS REQUIRED TO BE SUBMITTED WITH APPLICATION:

1. Approved Sewage Disposal System Permit issued by Health Department
2. Plot Plan identifying required on-site tenant parking areas.
3. Fifty dollar (\$50.00) permit application fee payable to Bedford County, Virginia.

Existing Supplemental Regulations

Sec. 25-434. - Bed and breakfast and rural lodging establishments.

The following establishments are permitted subject to all applicable district regulations of this chapter and the issuance of a zoning permit.

- (1) Bed and breakfast homestay.
 - a. The owner of the premises shall reside in and manage the establishment.
 - b. The establishment shall not contain restaurant facilities, but may provide food service for transient, overnight guests only.
 - c. Up to five (5) guestrooms may be provided for paying guests.
 - d. Outdoor events such as weddings, receptions, and similar activities may be conducted for compensation subject to the provisions for temporary uses set forth in section 25-442.
- (2) Bed and breakfast inn.
 - a. The owner or manager shall provide full-time management of the establishment at all times when the facility is occupied by one (1) or more guests.
 - b. The establishment shall not contain restaurant facilities, but may provide food service for transient, overnight guests only.
 - c. Up to fifteen (15) guestrooms may be provided for paying guests.
 - d. Outdoor events such as weddings, receptions, and similar activities may be conducted for compensation subject to the provisions for temporary uses set forth in section 25-442.
 - e. The establishment shall have safe access to and from a public road.
- (3) Country inn.
 - a. The owner or manager shall provide full-time management of the establishment at all times when the facility is occupied by one (1) or more guests.
 - b. The establishment may contain full-service restaurant facilities that provide meal service to guests and to the general public.
 - c. Up to thirty (30) guestrooms may be provided for paying guests.
 - d. Outdoor events such as weddings, receptions, and similar activities may be conducted for compensation subject to the provisions for temporary uses set forth in section 25-442.
 - e. The establishment shall be located on a public road, and the site shall have safe access from the public road.
- (4) Rural resort.
 - a. The establishment shall be located on parcels no less than twenty-five (25) acres, of which no less than seventy (70) percent of the site shall remain in natural or common open space, or passive park uses.
 - b. The establishment may contain full-service restaurant facilities that provide meal service to guests and to the general public.
 - c. More than thirty (30) guestrooms may be provided for paying guests.
 - d. All new buildings, active recreational areas, parking and lighted areas shall be set back a minimum of two hundred (200) feet from adjacent properties.
 - e. The establishment shall be located on a public road, and the site shall have safe access from the public road.
- (5) Rural retreat.

- a. The establishment shall be located on parcels no less than ten (10) acres, of which no less than seventy (70) percent of the site shall remain in natural or common open space, or passive park uses.
- b. The establishment may contain full-service restaurant facilities that provide meal service to the lodging guests only.
- c. Up to thirty (30) guestrooms may be provided for paying guests.
- d. All new buildings, active recreational areas, parking and lighted areas shall be set back a minimum of two hundred (200) feet from adjacent properties.
- e. The establishment shall have safe access to and from the public road.

(Res. of 1-1-02, § 4-104)

AGENDA ITEM: Consideration of a resolution in opposition to the closure of Catawba Hospital.

Administrator's Comments:

Governor Terry McAuliffe's recently released FY 2017 budget provides for \$1,000,000 for planning for the closure of the Catawba Hospital in Fiscal Year 2018. This facility serves the needs of the Roanoke region and a large portion of western Virginia for geriatric and adult patients with serious and persistent mental illness.

Studies show that the facility saw an admissions increase of 41% in FY 15 which indicates a substantial need for these Temporary Detention Orders (TDO) beds in this region. The closure of this facility would create a burden on patients and their families who would have to travel nearly 100 miles to the next closest facility in Staunton.

Recommendation:

Staff recommends that the Board adopt the attached resolution urging the General Assembly to take no action that would diminish mental health services for the citizens of the Roanoke region.

Attachment

Greg Lane 1/20/2016

DRAFT RESOLUTION

WHEREAS, Governor Terry McAuliffe's fiscal year 2017 budget requests \$1,000,000 for planning for the closing of Catawba Hospital in fiscal year 2018; and,

WHEREAS, Catawba Hospital serves the needs of the Roanoke region and much of Western Virginia for geriatric and adult patients with serious and persistent mental illness by providing 50 adult beds and 60 geriatric beds; and,

WHEREAS, according to a report by the Department of Behavioral health and Development Services (Study of Piedmont Geriatric and Catawba Hospitals, November 15, 2015 – pg. 21) geriatric admissions to State hospitals increased 61% in fiscal year 2015, thereby showing a need to keep these beds; and,

WHEREAS, Catawba Hospital provides beds mandated by Senate Bill 260 requiring State hospitals to provide beds for individuals on Temporary Detention Orders (TDO) when private beds are not available; and,

WHEREAS, Catawba Hospital saw an increase in admissions of 41% in fiscal year 2015 (Study of Piedmont Geriatric and Catawba Hospitals, November 15, 2015 – pg. 22) indicating a substantial need for these TDO beds in our region; and,

WHEREAS, Catawba Hospital currently serves the needs of the local and regional public safety agencies and jails effectively and efficiently by providing accessible emergency services for inmates and community members in crisis and the closest similar state facility is Western State Hospital in Staunton, nearly 100 miles away. The proposed substitute of Western State for Catawba's services would cause substantial local government cost increases for transportation of prisoners and patients to Staunton for local and regional public safety agencies; and,

WHEREAS, the impact of closing Catawba Hospital would create an undue burden on patients in crisis and their families from the Roanoke Valley and nearby areas who would have to travel nearly 100 miles to Western State Hospital; and,

WHEREAS, Catawba Hospital is a vital part of the region's continuum of care by providing in-patient services for adult and geriatric individuals with the most severe and persistent forms of mental illness and, according to Diane Kelly, Executive Director of Mental Health America of the Roanoke Valley, these patients cannot be adequately served in the less intensive community-based services available in the region; and,

WHEREAS, Catawba Hospital employs approximately 250 area residents and has a budget of approximately \$20,000,000 and the closure of this facility would cause serious negative economic impacts for the Roanoke Valley;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Botetourt County, Virginia, hereby urges the General Assembly to take no action that would move toward diminishing mental health services for the most seriously and persistently mentally ill citizens of the Roanoke region of Virginia; and,

BE IT FURTHER RESOLVED, that the Board of Supervisors of Botetourt County directs the County Administrator to transmit this resolution to Governor McAuliffe and the Senate Finance Committee and the House of Delegates' Appropriations Committee in addition to the County's General Assembly representatives.

AGENDA ITEM: Appointments.

Administrator's Comments:

The following appointment-related item is listed on this month's agenda:

A. The term of Mr. S. E. Cash on the Building Code Board of Appeals expires on March 17, 2016. This is a four year term.

The members of the Building Code Board of Appeals are appointed based on their occupation/expertise, e.g., construction, engineering, etc. Mr. Cash has been contacted and he is willing to be reappointed.

B. The term of the Amsterdam District representative on the Board of Zoning Appeals expires on March 31, 2016. This is a five year term.

Mr. Hunter Young has been contacted and he is willing to be reappointed, if the Board so chooses. The Board is required to submit the nominee's name to the Circuit Court Judge for consideration of approval.

C. The term of the County's representative on the Roanoke Valley Broadband Authority expired on December 13, 2015. This is a four year term.

The Board will need to appoint a representative to the RVBA to replace Mrs. Guzi for a term to expire on December 13, 2019.

D. Designation of Mr. Drew Pearson as the County's Deputy Subdivision Agent.

Per Section 21-21 of the County Code, the Board is required to officially appoint a Subdivision Agent. The current "agent," Planning Manager/Zoning Administrator Nicole Pendleton, may not delegate her authority to other County personnel except as specifically permitted by the Board or the County Administrator.

This request is to appoint Planner Drew Pearson as the Deputy Subdivision Agent, and to allow Mr. Pearson to approve subdivision plats of 5 lots or less, or any subdivisions in the extended absence of the Subdivision Agent and immediate action is needed on subdivision related matters upon specific prior authorization by the Subdivision Agent. This will allow for the timelier processing of subdivision plats in the case of a vacation or absence of the Subdivision Agent.

E. Appoint Mr. Gary Larrowe as the County's representative on the Western Virginia Regional Industrial Facility Authority for a term to expire on February 3, 2018.

Mrs. Guzi previously held this position.

Recommendations:

A. If the Board so chooses, reappoint Mr. S. E. Cash to the Building Code Board of Appeals for a four year term to expire on March 17, 2020.

B. If the Board so chooses, nominate Mr. Hunter Young to the Circuit Court Judge for consideration of appointment as the Amsterdam District representative on the Board of Zoning Appeals for a five year term to expire on March 31, 2021.

C. Appoint Mr. Gary Larrowe as the County's representative on the Roanoke Valley Broadband Authority for a term to expire on December 13, 2019.

D. Appoint Mr. Drew Pearson as Deputy Subdivision Agent effective January 26, 2016, to approve subdivision plats of 5 lots or less, or any subdivisions in the extended absence of the Subdivision Agent on which immediate action is needed on subdivision related matters upon specific prior authorization by the Subdivision Agent.

E. Appoint Mr. Gary Larrowe as the County's representative on the Western Virginia Regional Industrial Facility Authority for a term to expire on February 3, 2018.

Gary Larrowe 1/19/2016

ROANOKE VALLEY BROADBAND AUTHORITY

P.O. Box 2569, Roanoke, VA 24010
fsmith@highspeedroanoke.net, Ph: 540.904.1073
HIGHSPEEDROANOKE.NET

*Susan -
Jan. agenda to appl.
Gary -
JMM*

MEMBERS:
Kevin Boggess, City of Salem
Tom Gates, Roanoke County
Kathleen Guzi, Botetourt County
Mike McEvoy, Citizen
Chris Morrill, City of Roanoke

December 18, 2015

Ms. Susan Fain, Deputy Clerk
Botetourt County Board of Supervisors
1 W. Main Street, Box 1
Fincastle, VA 24090

Dear Susan,

According to our record of appointments, the term of Kathleen Guzi, Botetourt County representative on the Roanoke Valley Broadband Authority, expired December 13, 2015. The Broadband's Articles of Incorporation state that the term of office of Authority members shall be four years. The term ending date for the replacement of Ms. Guzi on the Broadband Board will be December 13, 2019.

Please notify the Roanoke Valley Broadband Authority of the County's official action in filling this upcoming vacancy on the Broadband Authority. Thank you.

Yours truly,

Wayne

Wayne Strickland
Secretary to the Broadband Authority

WS:ilp

✓cc: David Moorman, Acting, Botetourt County Administrator

TERMS OF OFFICE THAT EXPIRE IN 2016

EXPIRATION DATE	DISTRICT	NAME	BOARD/COMMITTEE
03-17-16		S. E. Cash	Building Code Brd. of Appeals
03-31-16	Amsterdam	Hunter Young	Board of Zoning Appeals
06-30-16		Erin Henderson	RVARC
07-01-16	Amsterdam	Donna Henderson	Social Services Board
07-01-16	Buchanan	Joe Obenshain	Social Services Board
07-01-16	Valley	Jan Smith	Social Services Board
09-01-16		Jeff Stritesky/Ronnie Sprinkle	CPMT
09-01-16		Penny Hall/Leigh Martin	CPMT
09-01-16		Julie Baker/Sam Foster	CPMT
09-01-16		Stephanie Harper/ Suzanne Renegar	CPMT
09-01-16		Donna Dent/Cathy Brown/ Cheryl Wilkinson	CPMT
09-01-16		Samantha Higgins/ Sandra Crawford	CPMT
09-01-16		Ashley Witt/Tanisha Nash	CPMT
11-01-16		John Kilby	IDA
11-01-16		Jeff Emry	IDA
12-31-16	Blue Ridge	Wanda Wingo	Library Board of Trustees

AGENDA ITEM: 3:00 P. M. - Presentation by Corbin Stone on the FY 15 County financial report.

Administrator's Comments:

Mr. Corbin Stone, Managing Director with Robinson, Farmer, Cox Associates, will be present at the Board meeting to give an overview of results and findings on the County's FY 14-15 financial report and answer any of the Board's questions. The Board previously received an e-mail which included an attachment containing an electronic copy of this report. Paper copies of the financial report will be available at Tuesday's meeting.

Also, enclosed with this agenda item are additional materials including charts and graphs regarding the audit's results.

Recommendation:

Receive Mr. Stone's report and ask questions as appropriate.

Enclosure

 1/20/2016

Botetourt County, Virginia

Audit Presentation

January 26, 2016

Robinson, Farmer, Cox Associates, Certified Public Accountants, LLC

Blacksburg Office

108 South Park Drive

Blacksburg, Virginia 24060

Phone: 540-552-7322

Fax: 540-382-0507

Email: cstone@rfca.com

Contact: Corbin Stone, CPA



COUNTY OF BOTETOURT, VIRGINIA

AUDIT PRESENTATION

FISCAL YEAR ENDED JUNE 30, 2015

SUMMARY FINANCIAL DATA	Page
Select Historical Financial Data.....	1
<hr/> CHARTS AND GRAPHS <hr/>	
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**County of Botetourt, Virginia
Select Financial Information**

Governmental Funds (Modified Accrual Accounting)

Fund Balance:	<i>Fiscal Year Ending June 30th</i>						
	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
General fund	\$ 16,424,344	\$ 14,320,533	\$ 16,216,851	\$ 15,853,806	\$ 20,250,415	\$ 19,795,142	\$ 24,807,003
Total	\$ 16,424,344	\$ 14,320,533	\$ 16,216,851	\$ 15,853,806	\$ 20,250,415	\$ 19,795,142	\$ 24,807,003
Restricted funds	\$ 260,324	\$ 184,574	\$ 198,529	\$ 186,710	\$ 187,390	\$ 285,943	\$ 775,696
Nonspendable fund balance (prepaid items)	54,845	81,832	117,761	121,510	255,005	227,218	251,649
Unassigned/assigned fund balance	16,109,175	14,054,127	15,900,561	15,545,586	19,808,020	19,281,981	23,779,658
Total	\$ 16,424,344	\$ 14,320,533	\$ 16,216,851	\$ 15,853,806	\$ 20,250,415	\$ 19,795,142	\$ 24,807,003
<i>Long-term debt - Governmental Funds (1)</i>	\$ 53,745,755	\$ 50,144,601	\$ 47,509,930	\$ 44,580,733	\$ 42,209,738	\$ 46,628,713	\$ 42,312,237

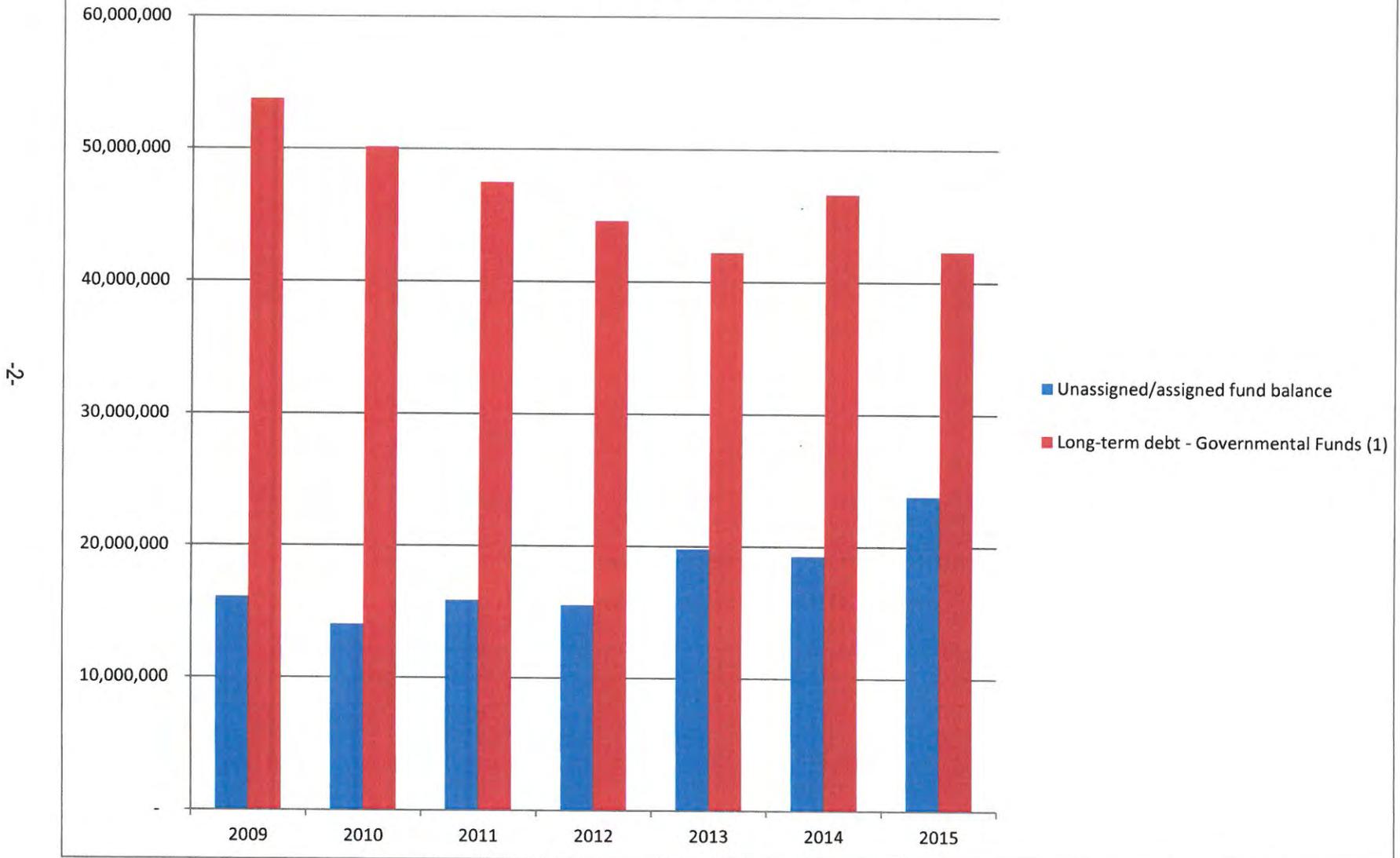
Governmental Activities: (Full Accrual Accounting)

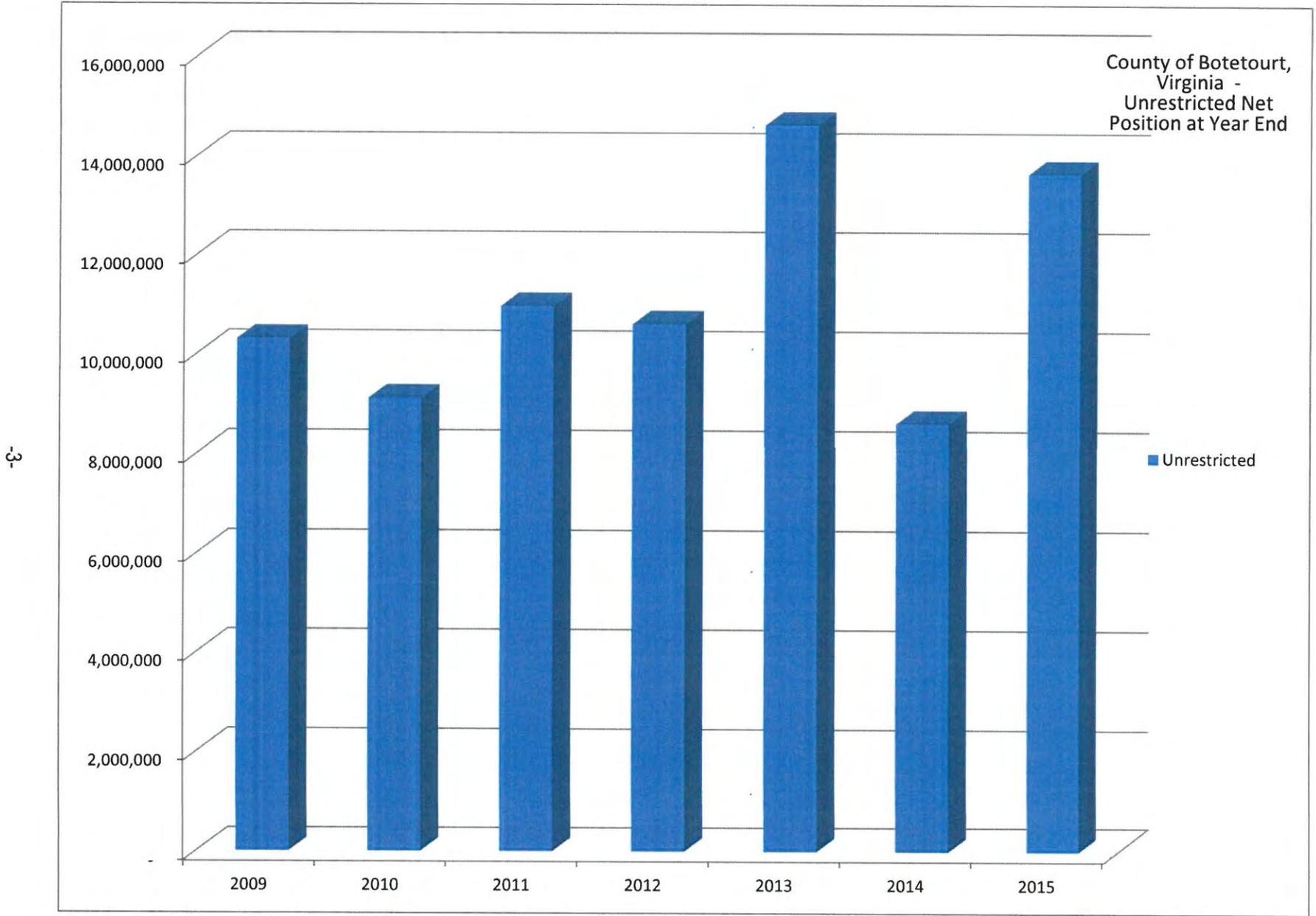
Netp Position:							
Net investment in capital assets	33,178,862	34,195,468	34,962,435	35,235,486	35,731,696	37,238,281	37,094,464
Restricted funds	260,324	184,574	198,529	186,710	187,390	285,943	249,392
Unrestricted	10,303,045	9,116,696	10,975,733	10,617,666	14,637,371	8,629,596	13,655,336
Total Net Position	\$ 43,742,231	\$ 43,496,738	\$ 46,136,697	\$ 46,039,862	\$ 50,556,457	\$ 46,153,820	\$ 50,999,192
County population (2)	33,374	33,148	33,209	33,399	33,293	33,423	33,521
Long-term obligations per capita	\$ 1,610	\$ 1,513	\$ 1,431	\$ 1,335	\$ 1,268	\$ 1,395	\$ 1,262
State average - long-term obligations (weighted average) (3)	2,655	2,666	2,695	NA	NA	NA	NA
State average - long-term obligations (unweighted average) (3)	2,066	2,019	2,077	NA	NA	NA	NA

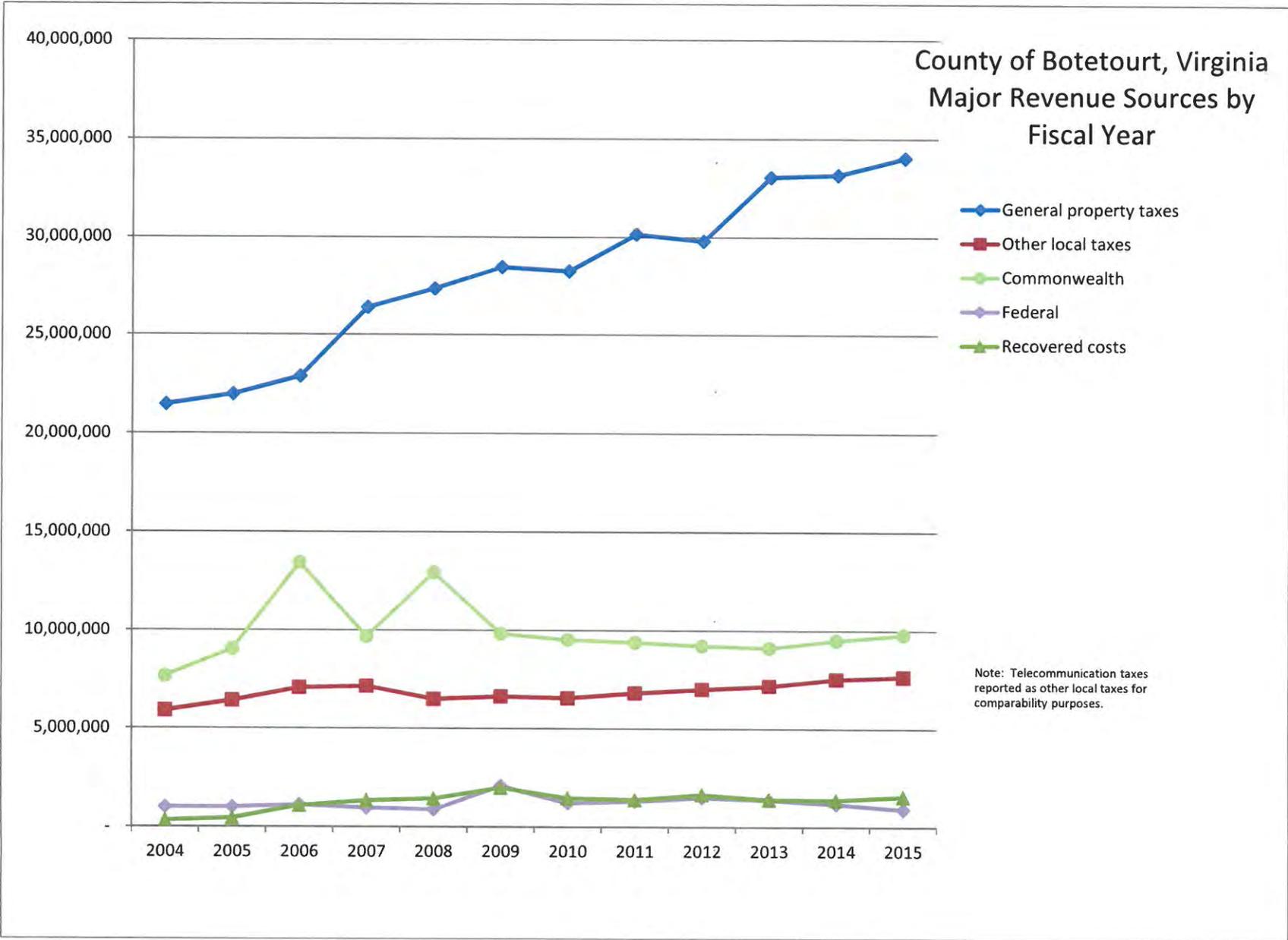
1. Details of long-term debt may be found in note 7 to the financial statements (page 55) of the 2015 audit report. This includes bonded and unbonded debt and other long-term liabilities.
2. Source: Weldon Cooper Center – <http://www.coopercenter.org> and estimates from County Administration.
3. Source: Auditor of Public Accounts - Commonwealth of Virginia
4. The County implemented Governmental Accounting Board Statements Nos. 67 and 68 during the 2015 fiscal year. Net position for the 2014 fiscal year has been restated above, accordingly.

Unless otherwise noted, all information was scheduled from the County's annual financial reports.

Botetourt County, Virginia - General Government Fund Balance and Debt

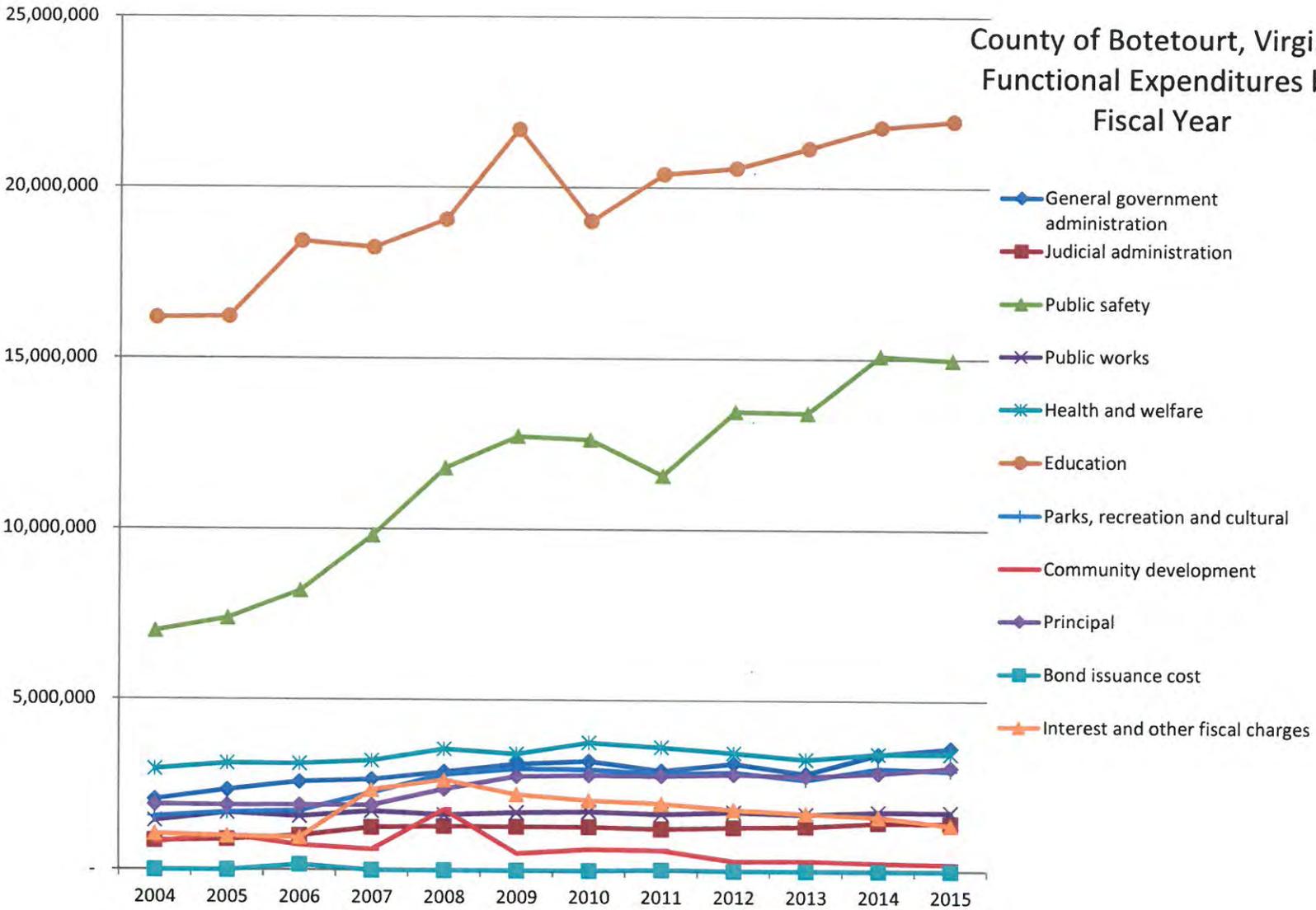




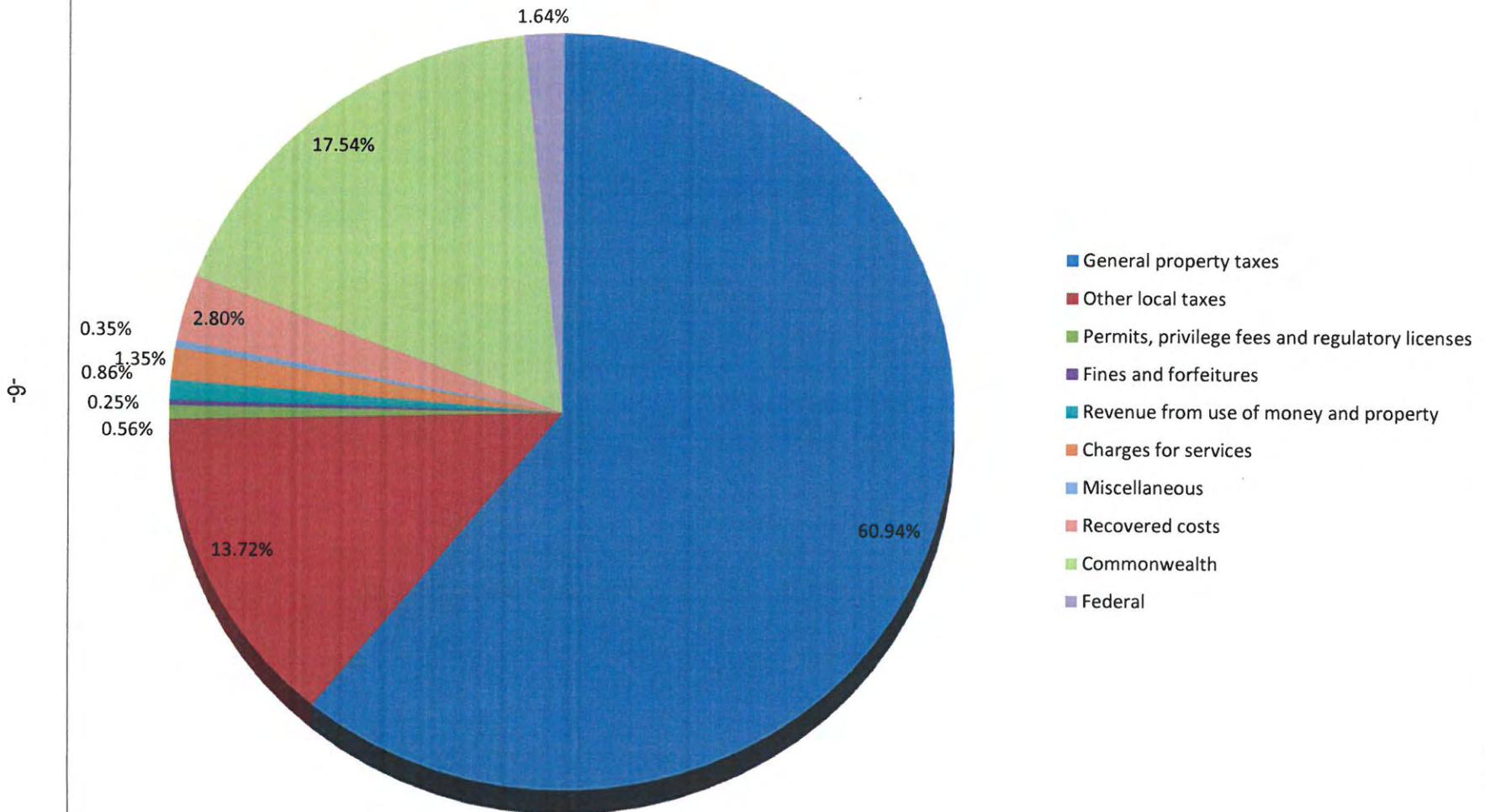


County of Botetourt, Virginia Functional Expenditures by Fiscal Year

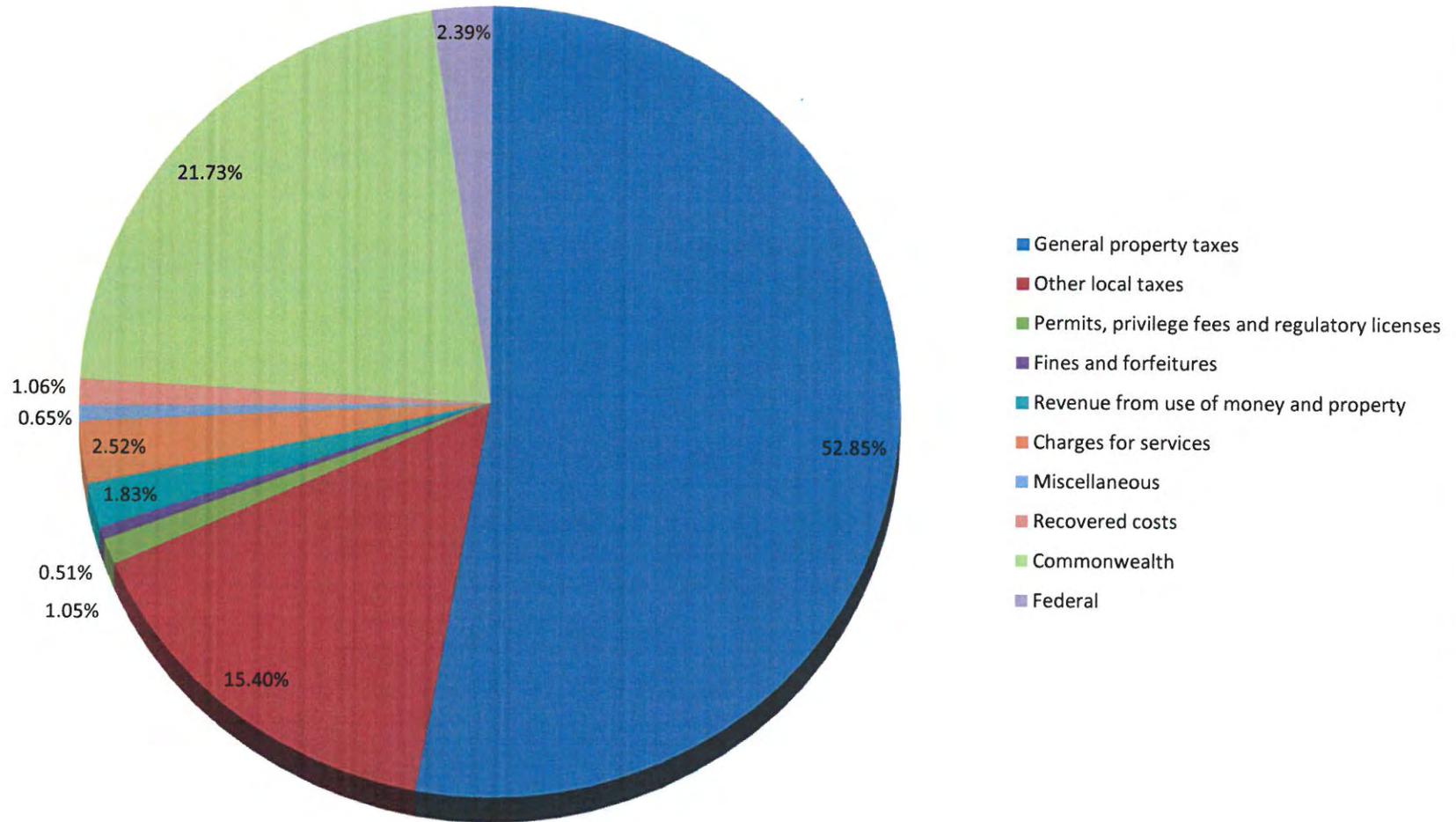
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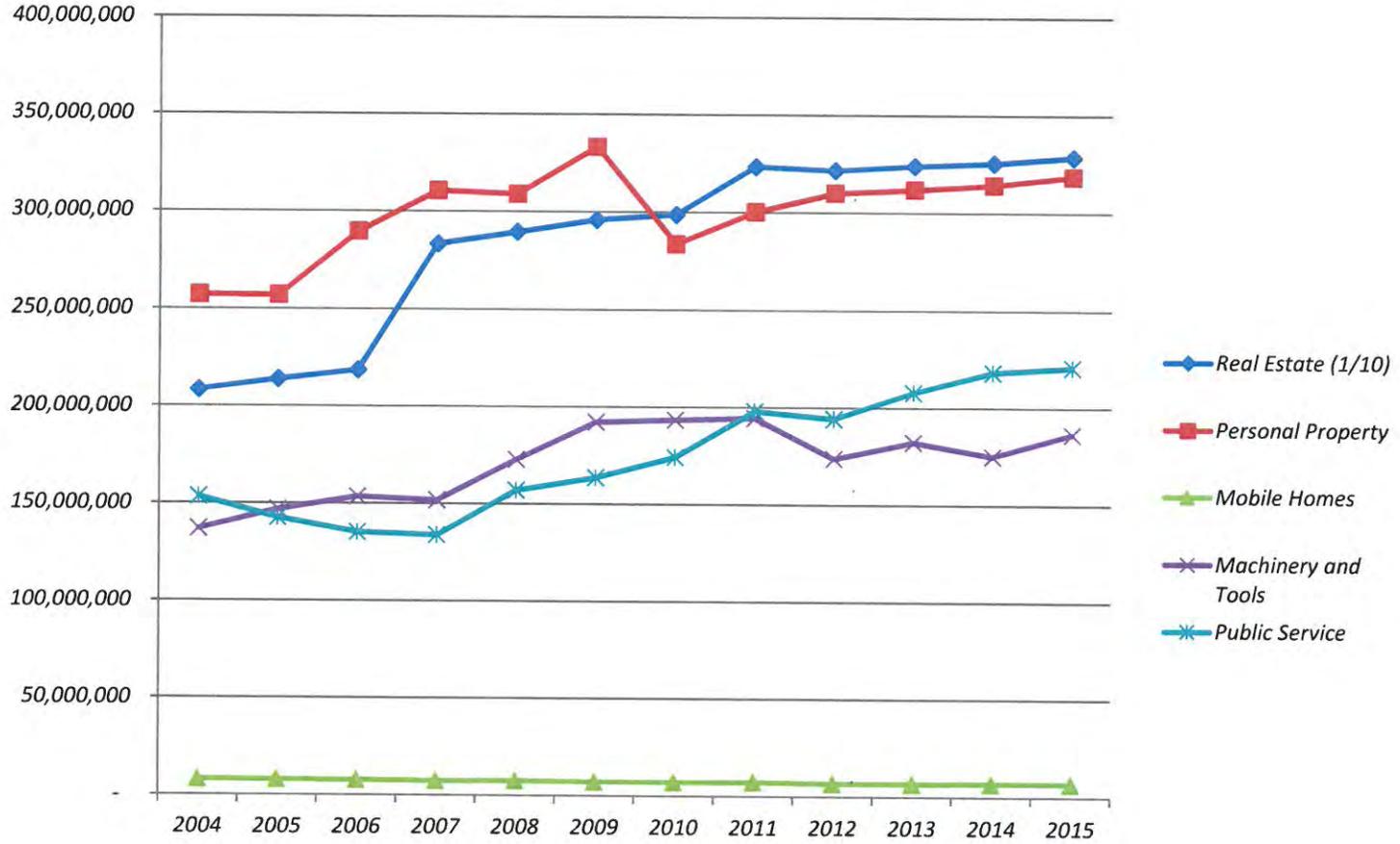
Botetourt County, Virginia Revenue Percentages 2015



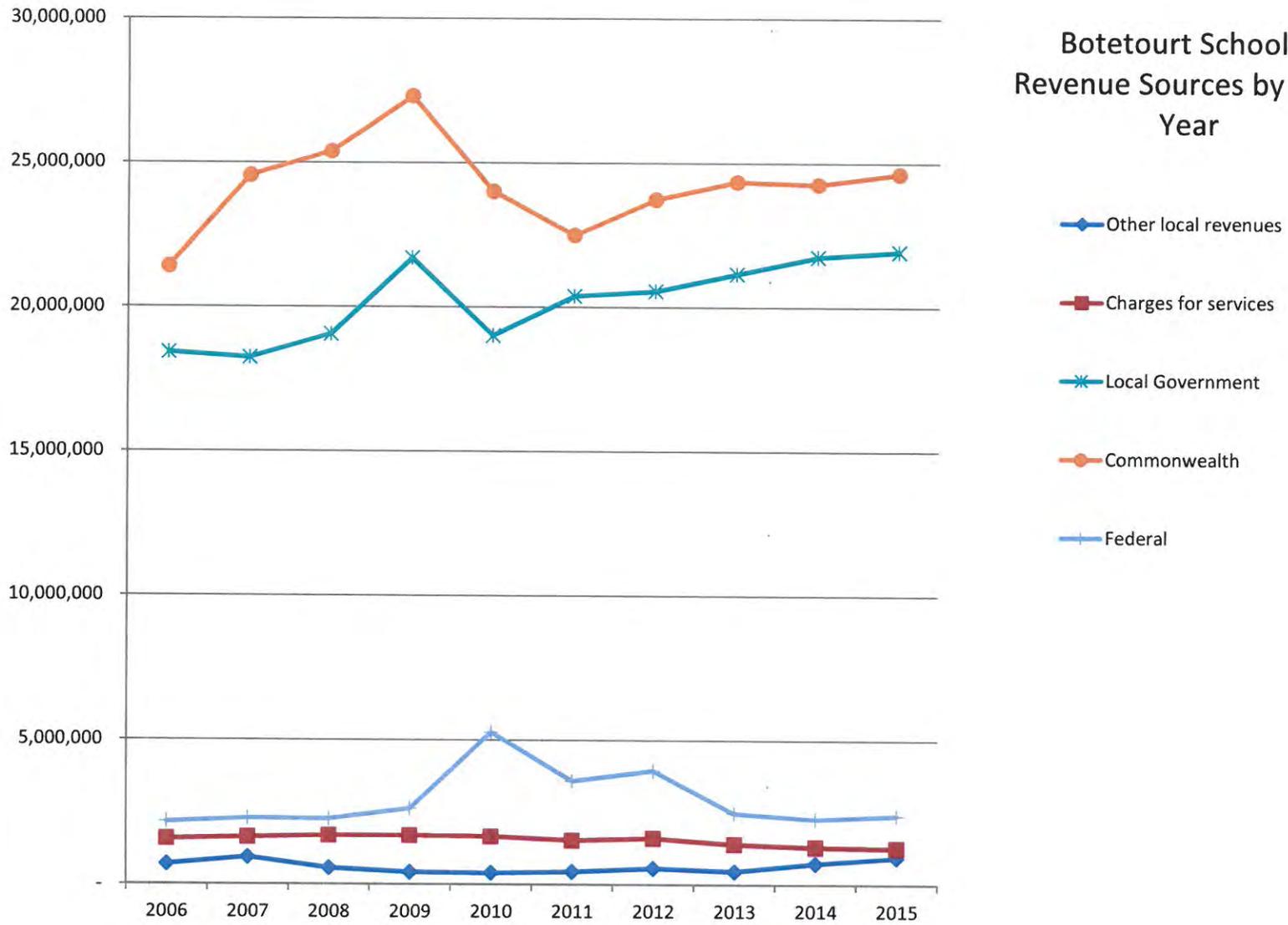
Botetourt County, Virginia Revenue Percentages 2005



County of Botetourt, Virginia Original Tax Assessments by Fiscal Year



Botetourt Schools - Revenue Sources by Fiscal Year



Summary Information on the Implementation of GASB Nos. 68 and 71

For the fiscal year ending June 30, 2015, the County and School Board implemented provisions of Governmental Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions* and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date - an amendment of GASB Statement No. 68*.

Key provisions of these Statements are:

1. The County and School Board will present a net pension asset or liability for the difference between investments held in trust and the present value of projected pension benefits owed. This asset or liability will be recorded in the full accrual financial statements only (exhibits 1, 2, 7 and 8). As such, fund balance(s) are not affected by this standard.
2. The reported net pension asset or liability will be based on an actuarial valuation from the prior fiscal year. (i.e. net pension liabilities reported at June 30, 2015 were based on an actuarial valuation as of June 30, 2014).
3. Contributions to pension plans after the valuation date, but before the end of the fiscal year are not reported as expenses, rather they are reported as deferred outflows in the statement of net position (exhibits 1 and 7).
4. Investment earnings in any given year that exceed or fall short of each pension plan's projected earnings rate (7% for VRS) are reported as deferred inflows or outflows in the statement of net position (exhibits 1 and 7) and amortized over future periods (currently 5 years).
5. Changes in your proportional share of the net pension liability (Statewide teachers' pool through VRS only) are reported as deferred inflows or outflows in the statement of net position and amortized over future periods (currently 5 years).

The following table presents the net pension (asset) liability of the County and School Board using discount rates utilized by each pension plan as well as what the net pension (asset) liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher than the current rate:

	Discount Rate		
	(6.00%)	(7.00%)	(8.00%)
<u>Virginia Retirement System Plan</u>			
County's net pension liability (asset)	\$ 9,692,418	\$ 3,884,703	\$ (918,802)
School Board's net pension liability (asset) (Teachers Pool)	\$ 64,640,000	\$ 44,021,000	\$ 27,044,000
School Board's net pension liability (asset) (Non-professional employees)	\$ 2,919,615	\$ 1,570,529	\$ 429,940

ROBINSON, FARMER, COX ASSOCIATES

CERTIFIED PUBLIC ACCOUNTANTS

A PROFESSIONAL LIMITED LIABILITY COMPANY

Date: December 15, 2015

Memorandum to: Anthony Zerrilla, Finance Director
Botetourt County, Virginia

From: Corbin Stone

Regarding: Audit Recommendations

In planning and performing our audit of the financial statements of the County of Botetourt, Virginia for the year ended June 30, 2015, we considered the County's internal control structure to plan our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control structure.

However, during our audit, we noted certain matters involving the internal control structure and other operational matters that are presented for your consideration. Our comments and recommendations, all of which have been discussed with appropriate members of management, are intended to improve the internal control structure or result in other operating efficiencies. We will be pleased to discuss these comments in further detail at your convenience.

Social Services 941 Quarterly Reports:

We compared wages reported on the Agency's 2014 quarterly reports to the IRS (941 forms) to amounts reported on the annual W-3 form and found a small difference in the amounts reported. The difference was less than ½ of 1%; however, the amounts should agree. In 2015, the Agency should reconcile the annual and quarterly reports, making adjustments as necessary.

Detailed Receipts for Credit Cards:

During our review of credit card receipts, we noted that detailed receipts were not on file for all purchases. We recommend that the County require employees to provide detail receipts for all purchases on County credit cards.

BLACKSBURG OFFICE
STREET ADDRESS AND MAILING ADDRESS:
108 SOUTH PARK DRIVE
BLACKSBURG, VIRGINIA 24060

CORBIN STONE, C.P.A., Managing Director

TELEPHONE: (540) 552-7322
FAX: (540) 552-0338

E-MAIL: cstone@rfca.com
INTERNET: www.rfca.com



Lack of Segregation of Duties:

A key component of internal controls is that no one individual should have both access to accounting records and related assets. The School Board Accounts Payable Clerk currently inputs data, prints checks and controls the mailing of checks to vendors. We recommend that someone, independent of the accounts payable process, pick up checks (after printing) and control the distribution of same to vendors of the School Board.

In addition, the School Board Payroll Clerk creates the direct deposit file and transmits same to the bank for distribution. We suggest that direct deposit file be reviewed and transmitted to the bank by someone independent of the payroll processing function.

*BLACKSBURG OFFICE
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108 SOUTH PARK DRIVE
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FAX: (540) 552-0338*

*E-MAIL: cstone@rfca.com
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ROBINSON, FARMER, COX ASSOCIATES

CERTIFIED PUBLIC ACCOUNTANTS

A PROFESSIONAL LIMITED LIABILITY COMPANY

December 14, 2015

To the Board of Supervisors
County of Botetourt, Virginia

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the County of Botetourt, Virginia for the year ended June 30, 2015. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and OMB Circular A-133, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 29, 2015. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the County of Botetourt, Virginia are described in Note 1 to the financial statements. As described in notes to the financial statements, the County of Botetourt, Virginia changed accounting policies related to pensions by adopting Statement of Governmental Accounting Standards (GASB Statements) Nos. 68 and 71. Accordingly, the net pension obligation and related information were reported on the statement of net position along with a more comprehensive measure of pension expense, enhanced note disclosures and required supplementary information. We noted no transactions entered into by the entity during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

Management's estimate of the depreciable asset lives is based on management's experience. We evaluated the key factors and assumptions used to develop the estimate in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimate of the allowances for doubtful accounts is based on management's experience. We evaluated the key factors and assumptions used to develop the estimate in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimates of deferred inflows, outflows and liabilities related to pension plans in which the County of Botetourt, Virginia and related component units participate are based on actuarial information provided by the Virginia Retirement System and includes certain long-term assumptions that are disclosed in the notes to the financial statements. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was the disclosure of pension liabilities in Note 10 to the financial statements. Pension liability estimates are sensitive to changes in key assumptions, such as projected long-term investment rates of return. As such, actual results (over time) may differ significantly from anticipated results.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated November 16, 2015.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the County of Botetourt, Virginia's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the County of Botetourt, Virginia's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the required supplementary information (RSI) presented in the annual financial report. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were not engaged to report on other supplementary information, statistical information or introductory information, which accompany the financial statements but are not RSI. We did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of the Board of Supervisors and management of the County of Botetourt, Virginia and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Robinson, Farmer, Cox Associates

December 14, 2015

AGENDA ITEM: 3:15 P. M. - VDoT Monthly Report.

Administrator's Comments:

Attached please find the January update report from VDoT's Residency Administration staff regarding plans for various current and near-term VDoT projects.

Recommendations:

Allow VDoT's representative to review this report and ask any questions as necessary.

Attachment

Henry Lowe 1/20/2016

Botetourt County Board of Supervisor's Meeting

January 26, 2016

VDOT ~ Discussion Items

Project Updates:

- **Exit 150 Project:**
 - The roadway contract has been awarded to Branch Highways, Inc. in the amount of \$17.9 million. Work started on project May 29, 2015.
 - Continue roadway grading operations on Gateway Crossing
 - Continue preparation for the new box culvert under Lemons Run.
 - Grading operations at Parcel 001 (TA) are ongoing.
 - Continue work on box culvert extension under Rt. 11
 - Test boring for new signal @ Gateway Crossing and Rt. 220A
 - Exit 150B off-ramp is reduced to one lane.
 - Continue laying the slope back at box culvert under Exit 150B to facilitate the extension.
 - Continue with underground storm sewer lines and water lines throughout the project.
 - This project will continue until summer 2018.

- **I-81 Latex Concrete Deck Overlays (6 Bridges) – Botetourt County**
 - Work on this project is complete.

- **Route 779 (Catawba Road) & Etzler Intersection Improvements & Bridge over Amsterdam Creek:**
 - Contractor continues working on constructing bridge for phase I
 - Continue work constructing mainline 779. Work includes demolition of pavement, complete constructing sub-grade, stone and asphalt placement.
 - Estimated completion summer 2016.

- **Box Culvert Replacements BR02-962 127**
 - Contractor – Burleigh Construction Co.
 - Amount of Contract – \$1.6 Million
 - Rte. 615 Craig Creek Rd. – Culvert replacement over a branch of Craig Creek is complete.
 - Rte. 621 Roaring Run Rd. – Work scheduled to begin in September 2016.

Botetourt County Board of Supervisor's Meeting

January 26, 2016

- **Bridge Replacements – BR02-962-129**
 - **Contractor – D. A. Brown, Inc.**
 - **Amount of Contract - \$552,186.00**
 - **Tentative Road Closure Dates:**
 - Route 668 Mount Pleasant Church Road / Botetourt County: 3/14/16
 - Route 615 Craig Creek Road –Work scheduled to start 4/4/16
 - Route 779 Catawba Road - Work scheduled to start 6/13/16

Secondary Six Year Plan Projects (SSYP):

- **SR 675 (Glebe Road) (UPC 57034)**
 - Vertical Curve Improvements
 - Update: Estimated Project Cost = \$1,358,411
 - SSYP 32% Funded

Land Development Projects & Land Use Permits:

- **Projects:**
 - No submittals during the past month.
- **Permits Issued:**
 - Permits issued between 11/16/15 and 12/15/15:
 - 3 Private Entrance Permits
 - 1 Commercial Permits
 - 1 Logging Permit
 - 1 Sign Permit – Town of Fincastle
 - 4 Utility Permits

Area Headquarter Projects:

- **Asphalt Patching**
 - Catawba Rd
 - Brugh's Mill Rd.
 - Blue Ridge Turnpike.- Completed
 - Breckinridge Mill Road

Botetourt County Board of Supervisor's Meeting

January 26, 2016

Traffic Engineering Study Requests:

- **Rte. 220 Speed Limit Reduction Request from Fincastle to Daleville.**
 - Submitted and in progress

- **Country Club Road Center Lane Painting**
 - Average Daily Traffic Count of 431 as recorded in 2014.
 - 3 year crash analysis shows 1 crash where a motorist swerved to avoid a deer.
 - Average Pavement Width is 16.6'. (19 measurements taken)
 - Roadway needs to be a minimum of 18 ft. to place yellow centerline markings.
 - Roadway does not meet the minimum width requirement of 18 ft.
 - No recommended changes at this time.

- **Alt. 220 Speed Limit Study**
 - Area was previously reviewed in conjunction with the Exit 150 project and all the current speed limits were set based on that study of the area.

- **Rte. 652 Mountain Pass Rd. Truck Restriction**
 - Study was delayed by adding in Laymantown Road and Humbert Rd. This will be submitted together for final approval.
 - Unknown timeframe at this point.
 - Discussion with Traffic Engineering about Coaling Road, and we will not be adding it at this point.
 - If a truck is already traveling on Alt 220, using Coaling Rd doesn't provide any time savings and is a longer route. GPS would not guide them in that direction for a quicker route.
 - Humbert and Laymantown were added, as they intersect with Mountain Pass Rd. and are cut throughs from Rte 11 and Rte 460. GPS does use these routes as alternatives for time savings.

- **Rte. 652 Mountain Pass Rd. request for Guardrail in S-Curves**
 - Traffic Study shows that this area does not meet the criteria for guardrail installation. Study did find that several areas would benefit from additional warning signage, which will be installed in the near future.

- **Request for Rte. 220 North across from Lord Botetourt High school to change from 3 turning lanes into one solid turn lane**
 - Request sent to Traffic Engineering on 11/17/15 for review

AGENDA ITEM: 4:00 P. M. - Presentation on DSLCC Promise Program.

Administrator's Comments:

Dr. John Rainone, President of Dabney S. Lancaster Community College, Ms. Rachael Thompson, Executive Director of the College's Educational Foundation, and Mrs. Michelle Crook and Mrs. Donna Vaughn, Botetourt County representatives to the Foundation, will be present at the Board's meeting to give a presentation on *The Dabney Promise* scholarship program. (See attached information.)

This program is a tertiary level-funding source for students who have graduated from Alleghany, Covington, Bath County, James River, Parry McCluer, and Rockbridge County high schools and have a current Grade Point Average of 2.25 or higher and meet other criteria. These funds would be available to "bridge the financial gap" following scholarships and financial aid options.

Recommendation:

Allow Dr. Rainone to give this presentation and ask any questions as necessary.

Attachments


1-12-16



DABNEY S. LANCASTER
COMMUNITY COLLEGE

"Building Futures...

Building Lives...

Building Hope"

Educational Foundation

January 5, 2016

The Honorable Donald M. Scothorn, Chairman
Botetourt County Board of Supervisors
1025 Highland Drive
Roanoke, VA 24019

Dear Dr. Scothorn:

We would like to take this opportunity to thank you for your time meeting with us in our discussion concerning Dabney S. Lancaster Community College. We hope the update on our activities included in this packet and our presentation will be both informative and beneficial. Again, we want to thank you for your support of the college over the past many years.

Now is a critical moment in the College's development. Declining public resources challenge us to meet increasing demands. More and more students are unable to afford tuition. DSLCC has embarked on *The Campaign for DSLCC* to ensure local, affordable access to higher education, essential to a prosperous 21st century community. Supporting DSLCC directly translates to economic development, educational attainment, employment success, and sustainability in the region, all of which align with your goals for the future of Botetourt County. In addition, your support fosters stronger regional cooperation, especially within the College's footprint.

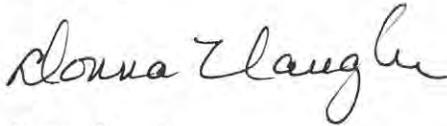
While the DSLCC Educational Foundation annually awards \$130,000 in scholarships, totaling more than \$1.5 million since its inception, there are additional areas that warrant attention. Many current scholarships are limited to certain disciplines, geographies, and requirements, per the donors' stipulations. These stipulations leave gaps that need to be filled – with additional scholarships throughout the service area and more flexibility with regard to the requirements. In addition, most student scholarships are for partial tuition, and the vast majority of scholarships offered are merit-based. Many students, even if they are awarded scholarships, combined with financial aid, are left with a balance that is not affordable. The result is a retention issue, with students finding that after one or two semesters, they cannot afford to continue their education.

To bridge the financial gap, a new, need-based scholarship platform is required: **The Dabney Promise**. *The Dabney Promise* is a tertiary level funding source for students, following scholarships and financial aid, in that order. For students that reach a certain threshold of financial need, *The Dabney Promise* would provide those students who desire to study at DSLCC the ability to do so, without concern of the financial burdens of higher education. Ultimately, *The Dabney Promise* would enable DSLCC to reach a wider range of service area residents, retain and matriculate those students, and, thereby, increase the educational attainment that is currently lacking in our region.

To initiate and sustain *The Dabney Promise* scholarship for Botetourt County residents who qualify, we are soliciting funding from Botetourt County businesses, industries, and residents. As the prime source of educational funding for Botetourt County, we are requesting that The Botetourt County Board of Supervisors contribute \$5,000 in 2016 to help fund the scholarship. We recognize that this year's Board of Supervisors cannot obligate a future board but our ultimate request is for \$5,000 per year for five years. We will follow up annually on this initiative.

Together, we can realize the kind of mutual success that truly benefits Botetourt County students, DSLCC, future employees, and supports continued growth in our economic climate. Your financial contribution will play a key role in enhancing the vitality and capability of DSLCC to educate Botetourt County citizens for years to come. Please join us by investing in our shared future. On behalf of the many students your contribution will affect, you have our deepest gratitude.

Sincerely,



Donna Vaughn
Botetourt Area Division Co-Chair
Campaign Steering Committee



Michelle A. Crook
Botetourt Area Division Co-Chair
Campaign Steering Committee

CC: The Honorable Todd L. Dodson
The Honorable Billy W. Martin, Sr.
The Honorable John B. Williamson
The Honorable L. W. Leffel, Vice-Chairman



DABNEY S. LANCASTER
COMMUNITY COLLEGE

Educational Foundation

THE DABNEY PROMISE PROGRAM

Background

A major component to any successful higher education institution has historically been and will continue to be student scholarships. The DSLCC Educational Foundation offers significant scholarship opportunities, which encompass all disciplines and levels of education, from part-time to full-time, from certification programs to associate degree programs.

- Nearly **100 scholarships** are awarded annually to high school, continuing, and non-traditional students combined
- Approximately **\$100,000** in scholarships is awarded annually
- More than **\$1.4 million** in scholarships has been awarded to DSLCC students, since the Foundation's incorporation in 1980

While these are impressive statistics, there are additional areas that need attention. Many current scholarships are limited to certain disciplines, geographies, and requirements, per the donor's stipulations. These stipulations leave gaps that need to be filled with additional scholarships throughout the service area and more flexibility with regard to the requirements. In addition, most student scholarships are for partial tuition and the vast majority of scholarships offered are merit-based. For many students, even if they are awarded scholarships, this award amount, combined with financial aid, still leaves them with a balance that is not affordable. The result is a retention issue, with students finding that after one or two semesters, they cannot afford to continue their education.

The most current retention rate for DSLCC, from fall 2013 to fall 2014, is 57.4%, according to the State Council of Higher Education for Virginia.¹ In a survey conducted by DSLCC in spring 2014, 37% of students participating in the survey who withdrew from the College that semester did so because it was "too difficult maintaining current employment and managing school." While employment may be necessary in some cases to provide for a family, in other cases, students are working in order to pay *for* school. Nationally, the number one reason why students withdraw from higher learning institutions is due to "anxiety/stress over college related expenses."²

Regarding graduation rates, which are tracked on a three year basis – the standard rate for determining successful completion within 150% of the typical time it should take to graduate (2

¹ "Reports: Retention and Graduation." State Council of Higher Education for Virginia (2014).

² National Center for Education Statistics (2012).

years), DSLCC's graduation rate for students who began in the 2011-2012 academic year was 23% among First Time in College Students (FTIC), compared to 16% overall of public two-year institutions.³ Though higher than the overall percentage, graduation rates remain an issue.

Additionally, DSLCC statistics indicate that only 56.9% of all students who applied to Dabney for the fall 2014 semester ultimately enrolled in a course or courses at Dabney. There is no way to determine with certainty the reason that nearly half of students who showed interest in and took the time to apply to Dabney did not ultimately enroll. However, based on the statistics above, it is highly probable that the primary cause is lack of finances.

In a recent Roanoke Times article, "Creating the path to Upward Mobility," Virginia Western's Community College Access Program was highlighted, noting that, "CCAP provides simple, straightforward steps toward that path to upward mobility: Someone sets an expectation for students that college is accessible."⁴ It is that vision of accessibility and the notable illustration of it to the residents of the DSLCC service area that is crucial to attracting and retaining students and, ultimately, increasing educational attainment.

Program

To bridge the financial gap, a new, need-based scholarship platform is needed: **The Dabney Promise**. The Dabney Promise is a tertiary level funding source for students, following scholarships and financial aid, in that order. For students that reach a certain threshold of financial need, The Dabney Promise would provide those students who desire to study at DSLCC the ability to do so, without concern of the financial burdens of higher education. Ultimately, The Dabney Promise would enable DSLCC to reach a wider range of service area residents, retain and matriculate those students, and, thereby, increase the educational attainment that is currently lacking in our region.

The Dabney Promise program would require successful applicants to:

- Have a current GPA of 2.25 or higher (from high school or College) at the time of application and to maintain that GPA throughout the course of the program
- Complete the FAFSA, Free Application for Federal Student Aid
- Complete a The Dabney Promise Application by the specified deadline
- Be enrolled in at least 9 credit hours, with a maximum of 15 credit hours per semester (limited to two developmental courses covered by the Dabney Promise Program)
- Be a graduate of Alleghany, Covington, Bath County, James River, Parry McCluer, and Rockbridge County high schools, OR a recipient of the GED or high school equivalency; student must demonstrate proof of residency in the respective area. Non-traditional students are eligible.
- Complete a one (1) credit hour Student Development Course (SDV Course) in the first semester of the program

³ "Profiles: Dabney S. Lancaster Community College." State Council of Higher Education for Virginia (2014).

⁴ "Creating the Path to Upward Mobility," The Roanoke Times (February 1, 2015).

- Attend a Student Orientation session for each academic year in which he/she participates in the program
- Attend a The Dabney Promise Program Orientation, provided by the DSLCC Educational Foundation
- Complete a community service learning project(s) of four (4) hours each semester, in which he/she participates in the program. The project(s) must be approved by the DSLCC Educational Foundation Office prior to the community service and validated with the signature of an authorized representative of the organization for which the student is volunteering.

Eligibility

(Based on full DSLCC student population)

- **Eligibility based on credit hours and GPA: 55%**
 - As of fall 2014, there were **434 students** who would have been eligible for the The Dabney Promise program; these students were enrolled in at least 9 credit hours and maintained at least a 2.25 GPA. This represents approximately 55% of the DSLCC student population (excluding Dual Enrollment students, who would not be eligible for The Dabney Promise).
- **Financial Aid Recipients: 61.76%**
 - 483 DSLCC students currently receive financial aid of some kind (not including student loans), representing approximately 61.76% of the DSLCC student population (excluding Dual Enrollment students, who are not financial aid eligible)
- **Financial Aid Does NOT cover tuition/ books: 392 students**
 - Tuition & Fees (based on 30 credit hours, 15 per semester): \$4,155.00
 - Book expenditure (per academic year, based on 30 credit hours): \$2,000.00
 - **TOTAL:** **\$6,155.00**
 - Average Financial Aid (including scholarships) of 392 students: \$2,946.42
 - **Average UNMET NEED of these 392 students:** **\$3,208.58**

Table 1.1: Financial Aid Percentages by Area

	Students Receiving Aid	Total Students (No Dual Enrollment)	Overall %	Botetourt	
All Aid (No loans)	483	782	61.76%	24	4.97%
Pell Only	411	782	52.60%	23	2.90%

As demonstrated above, there is a great need to be met. However, in starting the program, it is not anticipated that all will meet both the criteria and financial need. In addition, the exact level of need of the applicants cannot be precisely predicted.



Imagine • Invest • Inspire
The Campaign for DSLCC



DABNEY S. LANCASTER
COMMUNITY COLLEGE



The Aspen Institute named DSLCC one of the top 150 community colleges out of more than 1,100 two-year colleges nationwide.



Dear Friends of DSLCC,

For over five decades, Dabney S. Lancaster Community College has been a vital partner in the economic development of our service region. The impact of the College on business and industry, as well as individuals and families, is profound. Indeed, the vitality of the region depends largely on the ability of our institution to educate and train a workforce capable of not only supporting the existing economic infrastructure, but also helping to grow and strengthen that base by attracting new employers and residents.



With your support, we can make this region a more vibrant place in which to work and live. We hope that you will join us in this effort; an investment in your community college is an investment in your community. YOU have the power to make a difference!

I invite you to join me in celebrating DSLCC as a place of distinction that embraces its solemn mission to meet the educational needs of our residents. I hope that you, too, recognize DSLCC as a place with a solid foundation and bright vision for the future.

Please consider choosing to be a part of our initiative in any way in which you can. Remember, every gift counts, and your support will make a world of difference.

Sincerely,

John J. Rainone, Ed.D., President

Over \$15 million of the local economy is attributable to DSLCC.
Nearly 450 jobs across the service area are attributable to DSLCC.
For every dollar invested in DSLCC, the College returns \$2.16 to the service region.



"We invite you to join us as we embark on a movement to support this institution and invest in the future of our service region."

— Jack & Mitzi Hammond

To Our Community,



It is with great pleasure and honor that we serve as Honorary Co-Chairs for the DSLCC Campaign which will continue to foster the imagination of our area citizens, enable our community to invest in this driver of economic development and cultural advancement, and inspire a brilliant future for our entire service area.

As a well-established institution of higher learning within the Virginia Community College System, DSLCC provides opportunities to our students to pursue educational excellence and achieve

personal goals, ultimately, building brighter futures. DSLCC extends a bridge to educational attainment that spans the various types of students and needs that we find throughout the service area.

- Dabney offers a step for those who are financially or socially unprepared for the transition to a four year college experience.
- Dabney tailors training experiences to address the skills most needed in our local industries, both those that have been mainstays over the decades and those that seek to establish strong roots in our service area.
- Dabney affords area high school students the opportunity to take college courses while in high school, helping them to gain an academic advantage in a competitive world and laying the groundwork for a successful future

In all areas, Dabney delivers to its students more personalized experiences with faculty and staff, encouraging higher success rates.

In addition to the services that Dabney provides, it allows and encourages local involvement, and, ultimately, requires it. In stressing the community in Dabney S. Lancaster Community College, we invite you to join us as we embark on a movement to support this institution and invest in the future of our service area.

Best regards,

Jack & Mitzi Hammond

Honorary Co-Chairs

Imagine. Invest. Inspire. The Campaign for DSLCC

Influence in the Region

For more than 50 years, **Dabney S. Lancaster Community College** has been a beacon of achievement for thousands of students in the College's service area. With the support and investment of our community, we are prepared to meet and exceed the challenges of the future.

As a leading educational partner in workforce development, DSLCC's influence can be felt throughout the region. The College provides the types of skill sets and knowledge needed by employees and employers who want to succeed and advance in the region.



The College's influence is also felt within four-year colleges and universities across the country. Boasting one of the highest transfer rates in the country, our students are some of the top performers at their transfer institutions.

In addition to a multitude of workforce development programs, DSLCC's influence will also soon be felt in the agriculture industry as we prepare to launch a Career Studies Certificate in Basic Sustainable Agriculture. This is just one example of how DSLCC is evolving and building partnerships to meet the ever-changing needs of the region.

Your Investment Will Shape the Future The Campaign for DSLCC

As a community, it is important for us to support our community college, which plays a critical role in our region's economic development and in creating an educated populace. The DSLCC Educational Foundation has created The Campaign for DSLCC to encourage community investment in our College, which has provided life changing opportunities for so many of us, as well as our friends and neighbors.

The campaign is a vehicle for change that is consistent with DSLCC's vision. It will allow the College to serve as a catalyst for the advancement of community partnerships to improve regional conditions, including workforce development and quality of life. With the infusion of financial resources, the College will work with regional partners to drive community revitalization and prosperity.

We encourage you to learn more about DSLCC and how your investment will directly impact lives and provide a lasting return for years to come.



The Future

“...this college is an integral part of the fabric of our community. I shudder to think what would happen if it weren't here.”

—2014 Feasibility Study participant

Sentiments similar to this are heard every day throughout DSLCC's service area. Community reliance on the college for workforce development and training, exceptional educational opportunities, and economic vitality, are the foundation for The Campaign for DSLCC. The College intends to continue this role in the community far into the future.

It is for these reasons that we have worked closely with the community to match both its needs and those of the College in creating The Campaign for DSLCC.

The Dabney Promise Scholarship Fund

This initiative will launch a need-based scholarship platform called The Dabney Promise. The Dabney Promise is a tertiary level funding source for students, applied after scholarships and financial aid, which would essentially enable a DSLCC student who reaches a certain threshold of financial need to attend our College for free. Ultimately, DSLCC will reach a wider range of service area residents, thereby increasing educational attainment in our region. The program helps students develop their own, individual promise for the future, while simultaneously cultivating the promise for our region, both socially and economically.

Average annual unmet need for tuition and books.
\$3,208.58

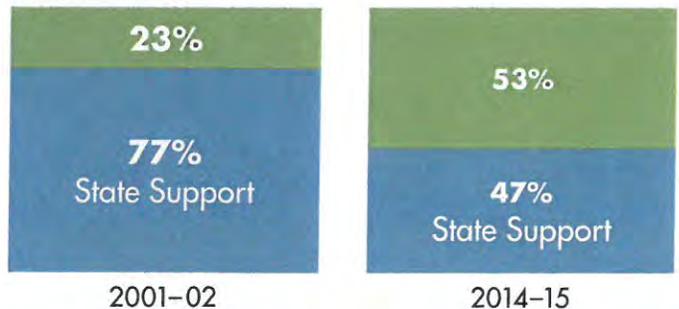
College Advancement and Program Innovation Fund

To propel DSLCC forward, alternative resources with greater flexibility are needed. This initiative will enable the College to pivot its focus quickly to meet the constantly evolving, and at times, unforeseen needs of the service area. It will support additional resources, staffing, technology, tools, and new programming, enabling life-long learning and providing a competitive edge for our area industries.

Student Success Fund

This fund is two-fold. First, it supports the Virginia Community College System's three-pronged initiative to address the lacking educational attainment in the Rural Horseshoe of Virginia: this includes funding career coaches, the Great Expectations program for Foster Youth, and scholarships for GED completers—all of which help attract students to DSLCC. The college will receive matching funds from VCCS and the Virginia Foundation for Community College Education for dollars raised for this initiative. Second, it addresses the need to fund full-time Academic Advisors and Student Success Coaches. These positions, which are currently grant funded, are necessary to achieving healthy retention and matriculation rates, and most importantly, student success.

Declining State Support



State Council of Higher Education for Virginia (July 2014)

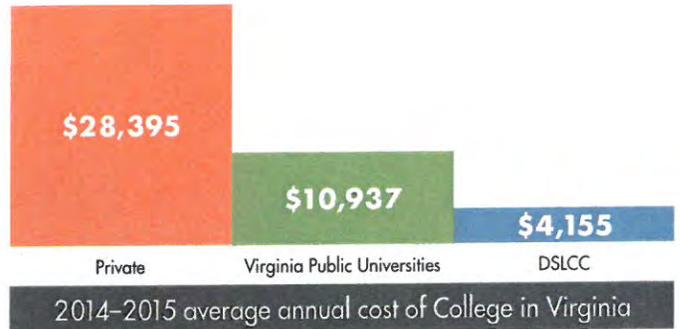


A recent community-wide survey about DSLCC showed the following:

- 95% have a positive view of the College within the community
- 83% feel the College meets the needs of the community
- 83% feel the College meets the needs of business and industry

Expansion of the College Footprint

DSLCC seeks to explore the expansion of the Rockbridge Regional Center, which houses approximately 25% of the College's student population. In addition, this initiative will support actively investigating the establishment of a physical location in northern Botetourt County and Bath County— both of which need improved accessibility for students in the outlying parts of the service area.



State Council of Higher Education for Virginia (July 2014)
National Center for Education Statistics



DSLCC Local Board

Dan Collins, Chair, Botetourt County
Janet Nelson, Alleghany County
Eddie Graham, Alleghany County
Ramona Garcia, Bath County
Steve Douty, City of Buena Vista
Kyle Keyser, City of Covington
Margaret Burks, City of Covington
Lawrence Goodall, City of Lexington
Laura Hoofnagle, Rockbridge County
Bob Claytor, Rockbridge County

DSLCC Educational Foundation — Board Members — 2015

Elaine Nelson, President
Financial Advisor, BB&T Scott & Stringfellow
Donna Vaughn, 1st Vice President
Retired Educator
Michelle Crook, 2nd Vice President
CFO, Bank of Botetourt
Dr. John J. Rainone, Board Secretary
DSLCC President
John Stone, Treasurer
Owner, John H. Stone Nationwide Insurance
Ward Robens, Past President
Retired Businessman and Educator
Gretel L. Anderson
Retired Educator
Dr. James Ballou
Physician with Jackson River Internists
Donna Beirne
Educator, Alleghany County Public Schools
Kathy Bryant
Branch Manager, Highlands Community Bank
Nancy Caperton
Community Volunteer
Betsy Carter
Retired Educator
Harrison Fridley
Retired Pharmacist and Businessman

Ramona Garcia
Educator, Bath County Public Schools
Greg Hansrote
VP, Covington Operations, MeadWestvaco
John Hillert
Community Volunteer, Masonic Theatre
Teenie Kegley
Business Owner, B. A. Rupert Real Estate
Helen Kostel
Volunteer Director, Clifton Forge School of the Arts
Ray Lipis
Manager, Lumos Networks
David Newkirk
Retired VP, Covington Operations, MeadWestvaco
Virginia Nowlin
Retired Educator
H.C. Rhodes
Bank President, Highlands Community Bank
Lois Switzer
Retired Educator
William T. Wilson
Sr. Law Partner, Wilson, Updike & Nicely
David Minter, Emeritus
Karin Ellis, Emeritus

"Community colleges play a critical role in the training and development of our citizens who want to participate in our growing economy. DSLCC is a wonderful resource that provides an opportunity to increase the knowledge and skills necessary to advance in business and industry. It prepares students for a wide range of academic choices and careers, at an affordable tuition, right here in our community. I am proud to serve as Chair of the DSLCC Educational Foundation, which provides scholarships and College support so that all of our students can reach their educational and employment goals."

Elaine Nelson, President, DSLCC Educational Foundation and CFP®, Financial Advisor, Assistant Vice President, BBT Scott & Stringfellow



Join Us



Front Row from left:

Michelle Crook, Botetourt Division
Ward Robens, Campaign Steering Committee Co-Chair
David Newkirk, Campaign Steering Committee Co-Chair
Rachael Thompson, Campaign Manager, Executive Director, DSLCC Educational Foundation

Back Row from left:

Teresa Hammond, Alleghany Division
Donna Vaughn, Botetourt Division
Ramona Garcia, Bath County Division
Nick Moga, Bath County Division
Bob Claytor, Rockbridge Area Division
Matt Paxton, Rockbridge Area Division
Brandon Caldwell, Alleghany Division
Dr. John Rainone, President, DSLCC

"DSLCC serves as a cornerstone in our community by enabling citizens, businesses and industry to grow and build more successful futures. The Campaign for DSLCC will create greater access to a broader menu of programs, while also instituting the latest technologies. DSLCC's unique ability to meet community needs through educational attainment, skill building, and workforce development are well known and will be significantly enhanced by 'The Campaign'. I am excited and proud to be a part of this important community effort."

David Newkirk, Co-Chair, DSLCC Campaign Steering Committee

"Having taught at DSLCC for several years, I witnessed first-hand students who had financial difficulties in continuing their education. So, it is my hope that this campaign will establish more need-based scholarships to assist any students who exhibit financial need and who are qualified to attend DSLCC. As a long-standing Educational Foundation Board member and Past President, I am eager to help lead this campaign effort and see the initiatives come to fruition."

Ward Robens, Co-Chair, DSLCC Campaign Steering Committee

The Campaign Steering Committee

Jack and Mitzi Hammond, Honorary Chairs
Ward Robens, Co-Chair
Dave Newkirk, Co-Chair
Tina Dressler, Internal - Faculty/Staff/Retirees/Boards
Chirs Shiraki, Internal - Faculty/Staff/Retirees/Boards
Donna Vaughn, Botetourt County
Michelle Crook, Botetourt County
Matt Paxton, Rockbridge County/Lexington/Buena Vista
Bob Claytor, Rockbridge County/Lexington/Buena Vista
Teresa Hammond, Alleghany County/Covington
Brandon Caldwell, Alleghany County/Covington
Nick Moga, Bath County
Ramona Garcia, Bath County
Dr. John Rainone, College President

Campaign Staff

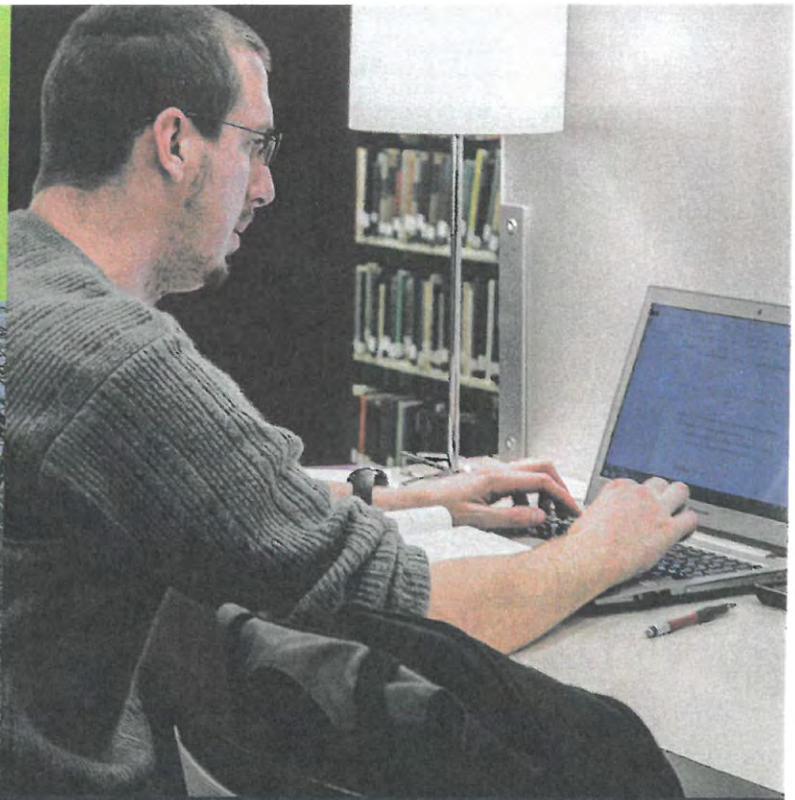
Rachael Thompson, Campaign Manager
Jodi Burgess, Campaign Coordinator

DSLCC Over the Past Decade

- 13,000 Workforce Students Trained
- 2,400 Certificates and Degrees Awarded
- 700 Career Studies Certificates and Degrees Awarded, bolstering local industry and enhancing the local economy
- 575 RN and LPN Nursing Students Graduated

Imagine

the Possibilities



Invest

in a Highly Skilled Workforce



Inspire

Your Community



Naming Opportunities



DSLCC Educational Foundation Campaign Naming Opportunities

Significant private gifts to support Dabney S. Lancaster Community College through the Foundation offer an opportunity for appropriate recognition of our most loyal and generous donors. A named gift creates an everlasting legacy and provides ongoing support for our campuses, students, faculty and programs. This ongoing investment ensures that the College will continue its mission of providing affordable, accessible, high quality education and training to area residents.

Naming Opportunities*

- \$10,000: Faculty Offices, Library Student Group Work Rooms and Open Spaces
- \$15,000: Student Lounge and Common Meeting Areas and Open Spaces
- \$25,000: Classrooms
- \$25,000: Scott Hall Student Cafe
- \$30,000: Endowed Named Scholarships
- \$50,000: DSLCC Bookstore
- \$50,000: Laboratories
- \$50,000: President's Office
- \$75,000: Culinary Lab located at the Rockbridge Regional Center
- \$100,000: President's Suite
- \$100,000: Student Achievement Center Suite or Student Services Suite
- \$100,000: Warren Hall 424
- \$125,000: Full Tuition Scholarship for one student each year into perpetuity
- \$250,000: Forestry Saw Mill
- \$500,000: Library

Naming Opportunities

All gifts to Dabney S. Lancaster Community College Educational Foundation's *Imagine – Invest – Inspire – The Campaign for DSLCC* will be recognized immediately unless the donor requests anonymity. Recognition may take the form of articles in college publications, listing in the DSLCC Educational Foundation's annual report, announcements on the college website, press releases and at campaign special events. Donors of \$10,000 or more are offered the opportunity to name one or more college facilities commensurate with the total amount of their campaign pledge.* The plaque signifying the gift may be in honor or memory of a loved one and may have the name of the donor, the family or a corporation. All donors \$5,000 and up will have their names listed on a plaque to be located at a DSLCC Campus or Center.

The College is appreciative of all gifts made to the Campaign and acknowledges that these named gifts are an outward sign of support for its mission and encourages others to give. The amount of the gift does not necessarily reflect project costs.

*This does not include revocable planned gifts. Naming opportunities for specific spaces may vary slightly. We welcome the opportunity to discuss your wishes with you.

Ways of Giving



Making a charitable gift to *Imagine – Invest – Inspire – The Campaign for DSLCC* is a very important and personal decision. The satisfaction of giving comes in knowing that, through your gift, YOU are investing in community vitality.

Your support will allow Dabney S. Lancaster Community College (DSLCC) to fulfill its mission of providing quality, affordable, accessible education and workforce training for students who aspire to a better way of life for themselves and their families. Your gift will also allow DSLCC to invest in innovative programming to meet the skilled workforce needs of area businesses and industries—both today and in the future.

Gifts and pledges to the campaign may be made in a number of different ways. You may be able to contribute more than you realize by being made aware of the following points:

- Gifts may be pledged over a five year period.
- Gifts may be given through a planned gift in combination with a pledge.

Gifts are monies or property given without expectation of any return value or other compensation on the part of the donor. Restricted gifts are used in accordance with the defined parameters set by the donor. Gifts without donor restrictions allow the Campaign to support innovative programming and unexpected institutional needs.

Types of Gifts

- **Pledges** – Future gifts of monies or property voluntarily given without expectation on the part of the donor.
- **Cash Gifts** – Gifts may be given through currency, checks or credit card.
- **Appreciated Stocks** – Security shares of publicly traded companies.
- **Gifts In-Kind** – Non-cash gifts that advance the mission of the College may be accepted. In-kind gifts will be reviewed for approval in accordance with the current Gift Acceptance Policy.
- **Sponsorships** – Donations given to underwrite DSLCC Educational Foundation programs or events.
- **Matching Gifts** – Many employers have matching gift programs.
- **Real Estate** – Gifts of private, commercial or agricultural property.
- **Retirement Savings** – Naming the DSLCC Educational Foundation as a beneficiary on your IRA, profit-sharing account or other retirement plan.
- **Life Insurance** – Naming the DSLCC Educational Foundation as a beneficiary, or preferably as BOTH the owner and beneficiary.
- **Planned Gifts** – Donors are honored through our Legacy Society.
- **Bequests** – Gifts made to the DSLCC Educational Foundation through a will.

Gift Recognition

A number of Donor Recognition Opportunities, Endowment Naming and Giving Circles have been created to honor the generosity of Campaign donors. We welcome the opportunity to discuss your options and wishes with you.

Gift Stewardship

Your gifts will be used specifically for the purpose(s) for which they were given and treated with the utmost care and confidentiality, per your instruction.

All gifts are reviewable through the DSLCC Educational Foundation's Gift Acceptance Policy. The objectives of the Gift Acceptance Policy are to:

- Secure gifts that advance the College's stated mission, purpose and priorities
- Ensure that the College's interests are protected
- Ensure that the donor is treated in an ethical, professional and fair manner.

Appraisals

The donor is to obtain an appraisal for any noncash contribution which exceeds \$5,000. The appraisal summary section of IRS Form 8283 must be completed and attached to your income tax return on which the deduction is claimed. No appraisal is needed for a gift of publicly-traded securities for which market quotations are readily available on an established securities market.

Consult Your Tax Advisors

The information on this sheet is not offered as legal or tax advice. For legal and tax advice, please contact your tax attorney or tax accountant.

Where to Direct Your Gift

The Dabney S. Lancaster Community College Educational Foundation is the official recipient for all gifts to the Campaign and to the College. Please make checks payable to the DSLCC Educational Foundation and any donation of property should be transferred to the DSLCC Educational Foundation. The DSLCC Educational Foundation's tax ID number is available, should you need it.

Ethical Standards

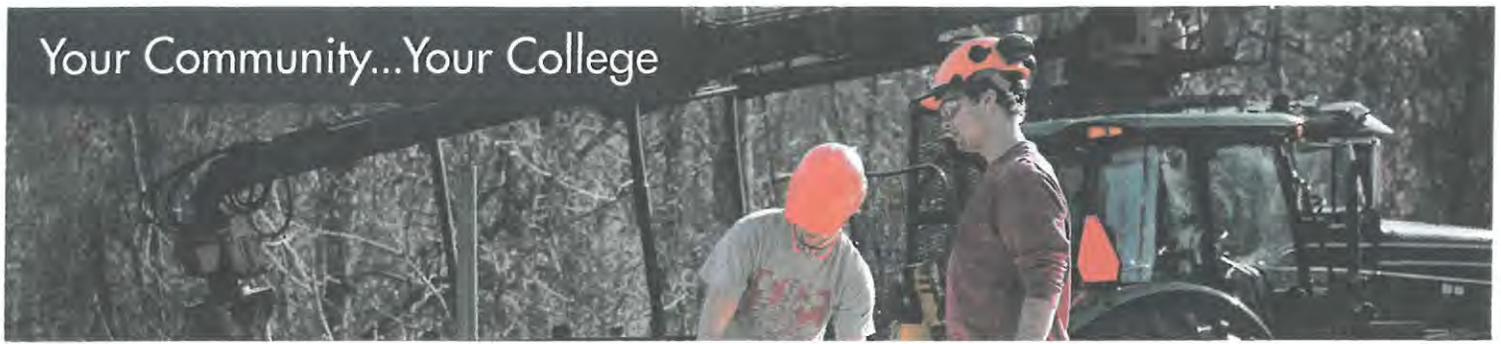
The DSLCC Educational Foundation, through its management and fundraising activities, will adhere to:

- The Council for Advancement and Support of Education (CASE) standards and principles for fundraisers.
- The Partnership for Philanthropic Planning Valuation Standards for Charitable Planned Gifts.



DSLCC Educational Foundation
1000 Dabney Drive, Clifton Forge, VA 24422
(540) 863-2835
www.dslcc.edu/foundation

Your Community...Your College



DSLCC and Botetourt County

- Overall head count for attendance in credit courses at DSLCC is **nearly 1,900** annually – inclusive of non-credit courses is **over 2,000**.
 - Botetourt County residents account for more than 338 of those students.
- Nearly 5% of the graduating class from Botetourt County High Schools attends DSLCC for the fall semester.
- For the 2014-2015 academic year, DSLCC served close to 300 dual enrollment students at Botetourt County Schools.
- During Aid Year 2015, almost 5% of Botetourt County students received full Pell. Over 58% of Botetourt County students receive some level of Pell assistance.
- The average tuition gap for Botetourt County residents not receiving full Pell is \$1,993 for 15 credit hours.
- According to the State Council of Higher Education of Virginia, DSLCC's retention rate from fall 2013 to fall 2014, is **more than 57%**.
 - However, in 2014, 37% of students who participated in a survey withdrew from DSLCC that semester because it was "too difficult maintaining current employment and managing school."
- Since 1995, DSLCC has had 3,557 graduates (including students receiving multiple awards) and had 2,546 individuals graduate.
- According to the Census Bureau, associate's degree holders earn about \$400,000 more than someone with just a high school diploma.

DSLCC Achievements

- **The Aspen Institute** - The Aspen Institute named DSLCC one of the top 150 community colleges out of more than 1,000 two-year colleges nationwide.
- **DSLCC Named Chamber of Commerce Business of the Year** - This award was presented by the Alleghany Highlands Chamber of Commerce & Tourism from a nomination by MeadWestvaco for a program developed with the National Center for Construction Education and Research (NCCER) to train individuals in multi-crafts.
- **Top Nursing Test Score in the Country** - Current RN student, Nikki Wilson, scored at the 99.86 percentile rank on the national HESI Assessment, taken by more than 35,000 nursing students across the country from all types of RN programs.
- **Faculty Member Named EMS Award Winner** - Jeanette S. Mann RN, BSN, NR-P, Director of the DSLCC Emergency Medical Services Program, received the 2014 Western Virginia EMS Council Regional Award for Outstanding Pre-hospital Educator.



DSLCC Educational Foundation
1000 Dabney Drive, Clifton Forge, VA 24422
(540) 863-2835
www.dslcc.edu/foundation

Scholarships Available for Botetourt County Students

Endowed

Adv Manu/Wind Turbine Dual Enrollment Scholarship
Bank of Botetourt H. Watts Steger III Scholarship
Barry Hillsman Forestry Scholarship
Betsy P. Saville Memorial Nursing Scholarship
Betty Andrews Memorial Nursing Scholarship
Bridging the Gap-College to Community Scholarship
Botetourt Kiwanis Scholarship
Christopher Baker Memorial Scholarship
Dabney S. Lancaster Memorial Scholarship
DSLCC Honors Scholarship
Durvin Family Scholarship for Nurses
Ethel Mae Grimes Dorsey Memorial Scholarship
Ferguson-Proffit Nursing Scholarship
Nursing Scholarship
First Citizens Bank Small Business/Entrepreneurial
GAMI Scholarship
George N. & Edith-Raab Chucker Scholarship
Julia Edmunds Nursing Scholarship
Kay Reynolds Ray Memorial Scholarship
Katherine V.H. & Horace E. Perret-Gentil
L. Paul Wiggins Scholarship
Raymond and Richard Claterbaugh Scholarship in Memory of Dr. & Mrs. Raymond L. Claterbaugh, Sr.
David & Karen Warren Scholarship in Memory of Dr. and Mrs. Thomas N. Warren
Linda Rose Memorial Scholarship
LIFT Scholarship
Louise Kern Lemon Memorial Nursing
Lumos Networks Scholarship
Lydia M. Woods Memorial Nursing Schol.
Madge Chandler Carr Book Scholarship
Madonna Hepler Nursing Scholarship
Mamie Hall Scholarship
Marion & Cecil May Scholarship
Marjorie G. Carte Scholarship
Mark W. Lockhart Memorial Scholarship
Martha Hudson Memorial Nursing Scholarship
Martha P. & Clyde E. Griffith Memorial
Mr. and Mrs. J. L. Davis Memorial Scholarship
Master Trooper Jerry Hines Scholarship
Newkirk Family Dabney Promise Scholarship
Richard W. Rusk Scholarship for Alt. Energy
Shelbia Jean Bayne Honorary Nursing Schol.
Tammy Caul Carter Book Scholarship
WestRock Scholarship

Annual

Administration of Justice Book Scholarship
BPW Lilly Albert Scholarship
Bubbles, Bands and Brunch Scholarship
Carolyn B. Nettleton Scholarship for Business
Commonwealth Legacy Scholarship
Dorothy Ayers Memorial Nursing Scholarship
DSLCC Educational Foundation Board of Directors Scholarship
Elizabeth Cook Scholarship
Frank and Charlotte Williamson Scholarship
News Gazette Scholarship
Pave it Forward Scholarship
Vaughn Family Scholarship
Virginia Firefighter Scholarship
Young-Fitzgerald Scholarship for Non-Traditional Students



www.dslcc.edu/foundation

Rachael Thompson

Director of Institutional Advancement
Executive Director, Educational Foundation
Dabney S. Lancaster Community College
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rthompson@dslcc.edu



DABNEY S. LANCASTER
COMMUNITY COLLEGE

Dabney S. Lancaster Community College Educational Foundation
1000 Dabney Drive
Clifton Forge, VA 24422

www.dslcc.edu

AGENDA ITEM: Consideration of a request to a change in proffers in accord with Section 15.2-2302 of the Code of Virginia; and consideration of a change in proffers associated with the Daleville Town Center, zoned Traditional Neighborhood Development (TND).

Administrator's Comments:

Fralin and Waldron, Inc., is requesting to amend two of the proffered conditions associated with the Daleville Town Center. The first request is to reference the correct date and concept map title to which the development is required to substantially conform, and is purely an administrative request. The second condition relates to a request to adopt a document to govern signage in the Daleville Town Center. This document is intended to supersede existing signage regulations in the Zoning Ordinance.

This 117.847 acre site is located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville and identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1;88(9)1;88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5; 101(21)5A; 101(21)6;101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; and 101(21)12.

Typically, proffer amendments are submitted for public hearing and consideration by the Planning Commission and then for public hearing and consideration by the Board of Supervisors. In response to an inquiry, legal counsel informed County Administration in November that the Board of Supervisors may consider and act on proffer amendments that do not change the use or density for a property and that it may do so without a public hearing. The Board may elect to apply this streamlined process in accord with Section 15.2-2302 of the Code of Virginia to Fralin and Waldron's request. If the Board elects to do so, any other eligible proffer amendment requests moving forward will be considered in the same manner unless staff is directed otherwise.

Staff has been working with representatives from Fralin and Waldron, Inc., to revise the previous signage plan, which was inadvertently not directly proffered during the original 2005 rezoning request, and is therefore unenforceable. This plan attempts to update the original plan to ensure compatibility with the current and future goals for development of the Daleville Town Center, and "aid in creating a visually unified, harmonious community that encourages a pedestrian oriented, lively outdoor atmosphere."

The Daleville Town Center Master Signage Plan and Guidelines, dated 1.19.2016, and revised proffer language is attached.

Recommendation:

1. Allow staff to review the proposed request and ask any questions as necessary.
2. If the Board wishes: a), adopt a resolution to consider this request in accord with Section 15.2-2302 of the Code of Virginia, and b) adopt the proposed change in proffers for the Daleville Town Center property, zoned Traditional Neighborhood Development (TND) Use District, on the basis that the requirements of the Zoning Ordinance have been satisfied, and that the proposal would serve the public necessity, convenience, general welfare, and is good zoning practice.
3. If the Board wishes to consider this request consistent with established practice and procedure, refer this request for a recommendation from the Botetourt County Planning Commission following a public hearing by that body.

Attachments

Mary Anne 1/21/2016

01.20.2016

Daleville Town Center Master Signage Plan & Guidelines

1.0 GENERAL GUIDELINES:

The purpose of the Daleville Town Center Master Signage Plan and Guidelines are to establish environmental graphic standards for all commercial, civic, residential and recreational parcels and uses and to aid in creating a visually unified, harmonious community that encourages a pedestrian oriented, lively outdoor atmosphere. Signage within Daleville Town Center is intended to enhance the small-town character of the project as well as convey appropriate information, branding and identity. Signage shall be utilized only where necessary and in a consistent manner, emphasizing an image of permanence and quality. All signs require prior written review and approval by the Developer or its designated architectural review entity. It is the Tenant's responsibility to secure all required permits.

Given the conceptual nature of the current Daleville Town Center TND master plan involving various configurations of mixed use, the permanent ground mounted sign locations should be functionally located to indicate the basic overall concept of the project's branding, identity and wayfinding needs.

Based on use and intent, signage may assume various configurations and may be combined and/or integrated with architectural elements such as fences, walls, poles, columns, towers, buildings, lighting, landscaping, etc. Daleville Town Center branded decorative banners, emblems, flags, pennants, plaques and similar graphic embellishments are encouraged and shall not be considered signage. To provide the necessary variety and flexibility to be effective, the following sign diagrams do not address design specifics and materials but are created solely to convey the maximum allowable aggregate square footage and/or the maximum allowable height and/or width of the sign face area(s) for each sign type.

2.0 DEFINITIONS:

Awning/Hard Canopy Sign: Individual lettering and logos attached to or painted, stenciled or otherwise placed on a structure made of flexible or inflexible material that is attached or unattached to a building.

Facade: The wall(s) of a leased or owned premise adjacent to, but excluding the storefront(s).

Projecting Sign: A sign attached to and projecting from the wall of a building and not in the same plane as the wall.

Sign Face Area: The area within a single, continuous perimeter enclosing the extreme limits of characters, lettering, logos, illustration or ornamentation, together with any material or color as to differentiate the sign from the background to which it is placed. The area of freestanding signs with faces separated by less than 45 degrees or back to back faces shall only be computed using the area of one sign face and shall not include the area of a monument or retaining wall structure to which the sign is attached.

Storefront: The front portion of the leased or owned premises adjacent to the main parking area(s) and including the store's main entrance(s).

Tenant: The entity occupying the space for which a sign is proposed or required.

Three Dimensional “Figurative” Sign: A sign incorporating sculptural graphic or crafted symbols (coffee cup, etc.) attached to and projecting from the wall of a building.

Under Canopy Sign: A sign located under a building’s awning, hard canopy, arcade, breezeway, porch or similar open air structure.

Wall Sign: A sign attached to a wall of a building and in the same plane as the wall.

Window Sign: A permanent sign applied or attached directly onto a window or glass door or is suspended from or located with-in twelve (12) inches of a window or door. The term shall not include merchandise located in a window.

2.1 PROHIBITED SIGNS:

The following types of signs shall be expressly prohibited:

- Off-premise and/or off-site signs
- Snipe signs
- Outdoor advertising (billboards) signs
- Bench signs
- Exposed stroke neon signs (without channel letter or logo enclosure)
- Day-glow colored signs
- Painted wall signs
- Rooftop mounted signs
- Political campaign signs
- Trailer signs
- Portable signs
- Vehicle signs: any vehicle upon which is placed a sign identifying the entity or its principal products. If such vehicles are operated during normal business hours in the execution of the business and are effectively screened from public view while parked, they may be allowed to be parked within the parcel.
- Flashing or electronic messaging devices except for professional financial businesses (banks) which are allowed a “time and temperature” display unit limited to a maximum area of twelve (12) square feet.

3.0 GROUND MOUNTED SIGN STANDARDS:

Main ID (Development ID)

Composed of a primary signage element that are combined and/or integrated with architectural elements that reflects and reinforces the project’s unique character and conveys a strong sense of front door and entry. Primary signage element is single faced with a total sign face area of one hundred (100) square feet maximum. Height of sign shall not exceed twelve (12) feet maximum.

Boundary ID (Development ID)

Combined and/or integrated with architectural elements that reflects and reinforces the project’s unique character and signals a strong sense of arrival and place. Signage element is double (2) faced maximum with a total single sign face area of sixty four (64) square feet maximum. Square footage may be combined or separated into a maximum of two (2) distinct sign face areas per side. Height of sign shall not exceed twelve (12) feet maximum.

Secondary ID (Development entrance at Glebe Road and Catawba Road)

Combined and/or integrated with architectural elements that reflects and reinforces the project's unique character and conveys a strong sense of entry. Signage element is double (2) faced maximum with a total single sign face area of thirty two (32) square feet maximum. Square footage may be combined or separated into a maximum of two (2) distinct sign face areas per side. Height of sign shall not exceed eight (8) feet maximum.

Tertiary ID (Development entrance at Glebe Road)

Combined and/or integrated with architectural elements that reflects and reinforces the project's unique character and conveys a strong, but understated sense of entry. Signage element is double (2) faced maximum with a total aggregate sign face area of twelve (12) square feet maximum. Square footage may be combined or separated into a maximum of two (2) distinct sign face areas per side. Height of sign shall not exceed eight (8) feet maximum.

Neighborhood ID

Combined and/or integrated with architectural elements that reflects and reinforces the neighborhood's unique character and conveys a strong, but understated sense of place. Signage element is double (2) faced maximum with a total aggregate sign face area of eighteen (18) square feet maximum. Square footage may be combined or separated into a maximum of two (2) distinct sign face areas per side. Height of sign shall not exceed eight (8) feet maximum.

Commercial Parcel Freestanding ID (primary – parcels exceeding two (2) acres)

Combined and/or integrated with architectural elements that reflects and reinforces the parcel's unique character and conveys a strong sense of place and identity. Signage element may be double (2) faced maximum with a total single sign face area of sixty four (64) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side to accommodate parcel name, logo and multiple tenant names. Height of sign shall not exceed ten (10) feet maximum.

Commercial Parcel Freestanding ID (secondary- parcels less than two (2) acres), Building ID (primary)

Combined and/or integrated with architectural elements that reflects and reinforces the parcel and/or building's unique character and conveys a strong sense of place and identity. Signage element may be double (2) faced maximum with a total single sign face area of thirty two (32) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side to accommodate parcel/building name, logo and multiple tenant names. Height of sign shall not exceed eight (8) feet maximum.

Building ID (secondary) (includes property drive entrance and directory signage)

Combined and/or integrated with architectural elements that reflects and reinforces the building's unique character and conveys a strong sense of place and identity. Signage element may be double (2) faced maximum with a total single sign face area of eighteen (18) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side to accommodate building name, logo and multiple tenant names. Height of sign shall not exceed six (6) feet maximum.

Directional (monument)

Combined and/or integrated with architectural elements that reflects and reinforces the project and/or district's unique character and conveys a strong sense of branding and wayfinding. Signage element may be double (2) faced maximum with a total single sign face area of sixteen (16) square feet maximum. Square footage may be combined or separated into multiple sign face

areas per side to accommodate project logo and multiple directional messages with arrows and/or directory information. Height of sign shall not exceed six (6) feet maximum.

Directional (pole mounted)

Combined and/or integrated with architectural elements such as street lighting standards, etc. that reflects and reinforces the project and/or district's unique character and conveys a strong sense of branding and wayfinding. Signage element may be double (2) faced maximum with a total single sign face area of sixteen (16) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side to accommodate project logo and multiple directional messages with arrows and/or directory information. Height of sign face area(s) shall be eight (8) feet minimum but shall not exceed twelve (12) feet maximum.

Amenity ID

Various identities for parks/green areas, community structures, trail systems, directories, kiosks, etc. Scale and character of sign element shall relate to specific function. Signage element may be double (2) faced maximum with a total single sign face area of eighteen (18) square feet maximum. Square footage may be combined or separated into a maximum of two (2) distinct sign face areas per side. Height of sign shall not exceed six (6) feet maximum.

Temporary Marketing/Leasing Signs

Temporary signs serve an important function in the marketing and leasing of parcels and buildings within Daleville Town Center and may be combined and/or integrated with architectural elements that reflects and reinforces the parcel/building's unique character. Parcel signage element may be double (2) faced maximum with a total single sign face area of thirty two (32) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side. Height of sign shall not exceed eight (8) feet maximum. Building sign element may be double (2) faced maximum with a total single sign face area of sixteen (16) square feet maximum. Square footage may be combined or separated into multiple sign face areas per side. Height of sign shall not exceed six (6) feet maximum. Temporary signage for marketing, leasing and promotion of events are permitted to be located simultaneously with permanent signage without affecting either the temporary or permanent allocation of square footage. A maximum of three (3) temporary signs is allowed per parcel.

Route 220 Frontage

The approximate 2275 linear feet of road frontage along Rt. 220 may include up to, but not exceed 10 permanent monument signs. The maximum number of signs includes property identification of up to 4 each (2 boundary and 2 primary entrance) and up to 6 commercial parcel identifications. Commercial Parcel Identification signs along the Rt. 220 frontage shall be placed a minimum of one hundred twenty (120) feet apart. Permanent signage along the Rt.220 frontage shall be set back a minimum of 30 feet from the property line. Additional guidelines apply as found under Main ID, Boundary ID and Commercial Parcel Free Standing.

4.0 TENANT FACADE MOUNTED SIGN STANDARDS – RETAIL or OFFICE USE:

Tenant (building) mounted signage limits are in addition to the permitted ground mounted signage.

Tenant Signage – Five thousand (5000) square feet or less

Each Tenant is allotted forty five (45) square feet of total sign face area for each building frontage it comprises. The sign face width shall not exceed eighty (80) percent of the tenant's linear building frontage. Sign face area may be divided between wall, under canopy, projecting/three dimensional, and awning/hard canopy, although no single sign shall exceed forty five (45) square feet. Sign(s) may be installed on any Tenant storefront or facade that faces a parking field, green or street. Any window signage shall not be counted toward this allocation.

Tenant Signage – Five thousand (5,000) square feet or greater, but less than ten thousand (10,000) square feet

Each Tenant is allotted sixty (60) square feet of total sign face area for each building frontage it comprises. Sign face area may be divided between wall, under canopy, projecting/three dimensional, and awning/hard canopy, although no single sign shall exceed sixty (60) square feet. Sign(s) may be installed on any Tenant storefront or facade that faces a parking field, green or street. Any window signage shall not be counted toward this allocation.

Tenant Signage – Ten thousand (10,000) square feet or greater

Each Tenant is allotted one hundred twenty (120) square feet of total sign face area for each building frontage it comprises. The sign face width shall not exceed eighty (80) percent of the tenant's linear building frontage. Sign face area may be divided between wall, under canopy, projecting/three dimensional, and awning/hard canopy, although no single sign shall exceed one hundred twenty (120) square feet. Sign(s) may be installed on any Tenant storefront or facade that faces a parking field, green or street. Any window signage shall not be counted toward this allocation.

5.0 Window Signage

Window signs shall be permitted at up to twenty five (25) percent of the window area to which they are applied or attached, from which they are suspended, or through which they are displayed and shall not be counted towards building-mounted sign areas.

6.0 Off-Premise Signage

Permanent off-premise (building mounted or monument) is not permitted with the exception of directional signage as permitted under 3.0.

Proffers For

Amsterdam Magisterial District: Fralin & Waldron, Inc. is requesting to Change Proffers which are associated within the Traditional Neighborhood Development (TND) Use District, known as the Daleville Town Center to update a proffer to correct the date and title of the concept plan, to which the development is required to substantially conform, as well as to amend the proffers to require that all signage in the development be regulated by a revised signage plan titled "Daleville Town Center Master Signage Plan & Guidelines". This 117.847 acre site is located adjacent to southbound US 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville and are identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1;88(9)1;88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5; 101(21)5A; 101(21)6;101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; 101(21)12.

I, Andrew Kelderhouse, Agent for Fralin & Waldron, Inc., hereby proffer the following conditions as a part of the above-referenced request:

1. The property will be developed in substantial conformance with the concept plan titled "Designated Use Plan" dated May 18, 2005, which is attached hereto and expressly incorporated herein as a proffered condition of approval of the rezoning, identifying the Core, Workplace, and Edge areas as defined in the Botetourt County zoning ordinance.
2. The property will developed to the exclusion of all other uses other than those indicated in this application for rezoning.
3. No more than 300 residential units and 400,000 square feet of commercial spaces shall be constructed in this project.
4. No more than 120 multi-family units shall be included in the 300 residential units.
5. A Master Property Owners Association (POA) shall be formed for the development, whose purpose shall be to provide for an organized structure to ensure the maintenance and enhancement of the intended structures and grounds throughout Daleville Town Center. Their responsibilities shall include, but not be limited to:
 - a. The creation of adequate budget(s) for the maintenance of all common areas, parks, trails, alleys, stormwater management facilities, signage, necessary insurance, management services, and the like.
 - b. To collect dues and other assessments to support the budgets.
 - c. To execute or contact to execute the work necessary for the maintenance and associated work.
 - d. The Association shall have the right to create classes of membership, or sub-associates, or both, to better facilitate the particulars of any section, type or group that may be developed within the property (i.e., commercial, office, residential).
 - e. The Association shall be bound by its Articles of Incorporation (to be developed) and by the laws of the State of Virginia.
6. An architectural review committee will be established and will use the Daleville Town Center Guidelines to control design within the development. ~~The guidelines and the membership of the Architectural Committee are hereby proffered.~~ The membership of the Committee will be established and the DTC Architectural Guidelines shall be developed, and a copy thereof shall be submitted to the Botetourt County Planning & Zoning

Administrator, prior to issuance of any building permits for the project. The Daleville Town Center Architectural Guidelines will include, but not be limited, to design criteria for building elevations, signage, lighting and fencing. Additionally, the Development Guidelines shall require that all exterior designs and building plans shall be approved by a majority vote of the Architectural Review committee. The committee will initially consist of the developer, the project architect, two residents of Botetourt County and the project's landscape architect. Upon completion of the tenth home, the residents of Botetourt County shall be replaced by two residents of Daleville Town Center (to be chosen by the Homeowners Association).

7. Signage for all of the parcels within the development known as the Daleville Town Center, and zoned Traditional Neighborhood Development (TND) Use District, will be regulated by the document titled "Daleville Town Center Master Signage Plan & Guidelines", dated January 20, 2016, which is attached hereto and expressly incorporated herein as a proffered condition of approval of the rezoning. The signage plan will supersede the signage regulations in the zoning ordinance outlined in Chapter 25, Zoning, Article IV, Supplemental Regulations, Division 2.- Signs. In addition to the proffered conditions submitted hereto, all other sections of the Zoning Ordinance will apply uniformly to all buildings, structures, land, water and uses within the development.

7.8. The developer will pay for all costs associated with the installation of a traffic signal at the mail entrance along US Route 220 for the purposes of serving the DTC. The traffic signal will be installed as warranted and approved by the Virginia Department of Transportation.

Andrew Kelderhouse, Agent for Fralin & Waldron, Inc.

Date

State of Virginia
County of Botetourt to Wit:

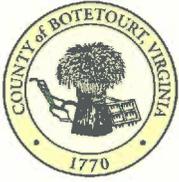
The foregoing instrument was acknowledged before me this _____ day of

_____ 2015 by _____

My commission expires:

Date

Notary Public



Botetourt County, Virginia
Development Services

**Planning Commission Extract
Land Use Related Request**

5 W. Main Street, Suite 100
Fincastle, Virginia 24090
Phone (540) 473-8248
or (540) 473-8320
Fax (540) 473-2018

Board of Supervisors Action Needed

January 26, 2016

Request

Construction Compliance
Erosion & Sediment Control
Inspections & Enforcement
Permit Applications &
Plan Reviews

Planning
Subdivisions
Zoning
Site Plans
Land Conservation

Fincastle Magisterial District: FRALEY FAMILY RESTATED IRREVOCABLE DYNASTY and FRALEY FAMILY IRREVOCABLE DYNASTY TRUST (Apex Clean Energy, Inc., lessees) requests a Commission permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Forest Conservation (FC) Use District to construct a wind energy system, utility-scale, on two parcels, the first being 4350.00 acres and the second being 1520.49 acres. Approximately 200 acres located within the boundaries of these properties will be utilized for up to 25 wind turbines and ancillary equipment and the related construction, operation and maintenance thereof. The turbines will be no greater than 550 feet in height and are proposed to be located along approximately 3.5 miles of the southernmost portion of North Mountain. The entrance will be generally located on the north side of secondary Route 622 (Dagger Spring Road), approximately 5.2 miles east of the intersection of Route 622 and secondary Route 694 (Gala Loop), to be accessed by a proposed gravel road, identified on the Real Property Identification Maps of Botetourt County as Section 13, Parcel 2 and Section 20, Parcel 3.

This land use change request involves the following:

- Land rezoning (conditions must be proffered, or offered by the applicant).
- Text Amendment.
- Change of Proffers.
- Commission Permit
- Special Exceptions Permit (the Board has authority to assign conditions).

Planning Commission Recommendation:

On a vote of 5:0:0:0, the Planning Commission recommended unanimous approval of the Commission Permit in accord with §15.2-2232 of the Code of Virginia.

The Commission Permit verifies that the proposal is in accordance with Comprehensive Plan.

On a vote of 5:0:0:0, the Planning Commission recommended unanimous approval of the Special Exception Permit in the Forest Conservation (FC) Use District to construct a wind energy system, utility-scale, on two parcels with the attached conditions.

Action requested of the Board of Supervisors:

The Board of Supervisors may approve, approve with conditions or deny the Commission Permit request.

The Board of Supervisors may approve, approve with conditions or deny the Special Exception Permit in the Forest Conservation (FC) Use District to construct a wind energy system, utility-scale, on two parcels.

Staff Comments:

The background report prepared by staff is attached, as are the conditions recommended by the Planning Commission, and the findings letter from ANTARES Group, Incorporated, which confirmed the project, as submitted, was substantially complete and in compliance with applicable codes and regulations and, with the additional conditions, will be able to ensure that ordinance and permitting requirements are met, and that potential impacts resulting from the project can be properly mitigated.

Staff agrees with the findings of the consultant and believes that the conditions that have been drafted in coordination with the applicant, staff, ANTARES, and the county attorney, will ensure that the project is built with no threat to public health safety and welfare.

The additional application materials from the applicant, which includes all of the required studies and reports, as well as an economic impact study and letters of support provided to the Planning Commission, are located in a Dropbox folder which has been made available to the Board of Supervisors. These files are also in the Community Development Office for public review.

Prior to the meeting, staff received one item of public comment from Rockbridge County asking the Planning Commission to defer action in order for their Board of Supervisors to review the application.

At the meeting, there were 14 citizens who spoke; ten were in support of the request, three were in opposition. One gentleman was neither in favor nor in opposition, but wanted to raise concerns about dust mitigation, safety and construction traffic passing by his house. There were also questions raised about FAA lighting requirements, the color of the turbines, setbacks and noise levels. The commissioners asked if the applicant was in support of all of the 17 proposed conditions, and they agreed that they were. The commissioners discussed the complexity of the SEP process. The applicants noted that the closest distance of any turbine to a residence on an adjacent property was over 6,100 feet, and that sound from the turbines wouldn't reach the limits set forth in the ordinance, and that they would have a dust mitigation plan and speed limits that all personnel would be required to adhere to.

DRAFT MOTIONS
Commission Permit

Approval:

I move to affirm the Planning Commission's approval of the Commission Permit on the basis that the proposed request is consistent with the comprehensive plan and the purposes and intent of the zoning ordinance.

Denial:

I move to overrule the granting of the Commission Permit for the following reasons...

...and on the basis that the proposed request is **NOT** consistent with the comprehensive plan and the purposes and intent of the zoning ordinance.

Special Exception Permit

Approval, with conditions:

I move to approve the Special Exception Permit for a wind energy system, utility-scale, on Botetourt County Tax Map Parcels 20-3 and 13-2, subject to the conditions as included in the background report prepared by staff, and as updated and presented at the public hearing:

[or with modifications]

And on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied, and that the proposal would serve the public necessity, convenience, general welfare, and is good zoning practice.

Denial:

I move to deny the Special Exception Permit for the wind energy system, utility-scale on Botetourt County Tax Map Parcels 20-3 and 13-2, be forwarded to the Board of Supervisors on the basis that the requirements of Section 25-583 of the Zoning Ordinance have not been satisfied due to the following reasons:_____

SUGGESTED CONDITIONS: REVISED January 11, 2016

If approved, staff suggests the following conditions. These conditions were derived from proffered conditions as submitted by the applicant, as well as by ANTARES, and staff, and were reviewed and edited by the county attorney.

The following conditions are imposed by the Board of Supervisors of Botetourt County as express conditions on the approval of the SEP for a utility scale wind energy system on Botetourt County Tax Map Parcels 20-3 and 13-2(the "Property"). These conditions are binding upon the owner, applicant, and their heirs, assigns, and any other successor or successor in interest (the "Developer"), as if fully set forth in the codified text of the Botetourt County Zoning Ordinance.

1. *Conformance with Concept Plan.* All development on Botetourt County Tax Map Parcels 20-3 and 13-2 shall substantially conform to the Rocky Forge Conceptual Plan prepared by Timmons Group and dated October 28, 2015, with revisions to sheet C1.00, C2.02, C2.02A, C2.03, and C2.03A, dated January 4, 2016, which is attached hereto and expressly incorporated herein as a condition of approval of this Special Exception Permit. Any substantial deviation from the concept plan, as determined in the sole discretion of the zoning administrator, shall require an amendment to this special exception permit through new public hearings before the Planning Commission and the Board of Supervisors and approval by the Board of Supervisors. No amendment to the special exception permit will be required for changes to the concept plan for (i) relocation of exact turbine sites (or changes in turbine specifications), provided turbines remain along the ridge line; (ii) relocation of the underground cables to correspond to the locations of the turbines; (iii) modifications to the proposed gravel roads for access provided such entrance locations from the public roads remain along those sections of the Dagger Springs Road immediately adjacent to the Property; (iv) relocations to the substations and operations and maintenance buildings provided they are setback at least 200 feet from the Property line; (v) any deletion of project roads, or other cleared areas or reduction in the total number of turbine sites and (vi) any other change that does not constitute a substantial deviation.

2. *Total Number of Turbines.* No more than 25 turbines, whether they are in actual operation or not, shall be located on the Property.

3. *Construction Traffic Management Plan & Mitigation Measures.* As part of its final site plan submission, and as a requirement of approval thereof, the Developer shall provide a construction traffic management plan, which shall include, but not necessarily be limited to:

- a. A construction traffic management plan (CTM) for:
 - i. Traffic control, including lane closures, flagging procedures, directional and informational signage, and designated access points for deliveries and employee access;
 - ii. Designated delivery and parking areas;
 - iii. Designated routes for deliveries of equipment and materials on primary and secondary roads, as well as routes for any railroad deliveries;
 - iv. Dust mitigation plans;
 - v. Road monitoring on Dagger Springs Road, Gala Loop Road, and Botetourt Road (Route 220), which shall include cleaning roadways of mud tracked onto the road from

construction-related traffic as well as ensuring that any known safety issues be promptly reported to local emergency response crews and law enforcement if necessary.

- b. **Pre-Construction Road Evaluation:** Prior to or contemporaneous with submission of the site plan, the Developer shall submit to the Virginia Department of Transportation (VDOT) an evaluation of the condition of the road surface and road shoulders for any delivery routes identified in the CTM. The Pre-Construction Road Evaluation shall include and evaluation of planned commercial entrances to be approved by VDOT. The Pre-Construction Road Evaluation shall also include an estimate for the cost of any repairs to public roads or highways that may be caused by construction activities related to the Project. Surety shall be posted for such repairs as hereinafter set forth. The Pre-Construction Road Evaluation must be approved by VDOT prior to or as part of the site plan approval process.
- c. **Post-Construction Road Evaluation:** After completion of construction, the Developer shall submit a post-construction evaluation of the road surfaces and road shoulders on the delivery routes identified in the CTM. The Post-Construction Road Evaluation shall be submitted to VDOT for approval. The Post-Construction Road Evaluation shall include a plan for repairing any damage caused by the developer and identified therein, and the Developer shall be responsible for causing such identified repairs to be completed within the timeframe set by VDOT.

4. *Hours of Construction.* The hours of construction shall be limited to 7 a.m. to 8 p.m., except when otherwise required by the terms of state or federal permits (to include any requirements by VDOT) or emergency situations. Hours may be extended for purposes of time-sensitive work (i.e. concrete pouring and curing period, erection of turbines during low wind periods) provided that any construction activities resulting in significant noise such as loading or unloading trucks, the use of vehicle warning devices, or the operation of heavy construction equipment at the Property, is conducted a minimum of 500 feet from any residence outside of the project area. The occurrence and nature of any time-sensitive work or emergency situation shall be reported by telephone, email, or other expeditious method as soon as reasonably practicable, in no case later than 48 hours after the occurrence of such event.

5. *Site Plan & Construction Surety.* The following sureties shall be submitted in the form of a surety or a letter of credit, in an amount satisfactory to the zoning administrator and in a form acceptable to the county attorney:

- a. **Repair Surety.** A surety in the full amount of estimated and approved costs of complying with the Pre-Construction Road Evaluation shall be posted prior to the issuance of any building permit for the Project. Such bond shall be released within six months following certification of final completion of any such necessary repairs and final inspection and acceptance.
- b. **Construction Sureties.** The Developer shall post all sureties provided in the Botetourt County Zoning, Subdivision, Stormwater, and Erosion & Sedimentation Control Ordinances as part of site plan submission, and as a requirement of approval thereof.
- c. **Decommissioning Surety.** The amount of the decommissioning surety shall be determined as part of the final site plan submission, and as a requirement of approval thereof. The surety shall be posted prior to the issuance of any building permit for the

Project. Such amount should be determined in a manner consistent with the process used in the Rocky Forge Wind Project Decommissioning Report, prepared by Garrad Hassan America, Inc. "DNV GL", and dated October 1, 2015. The surety should be for no less than 125% of the total cost estimate after salvage and shall be updated every three years.

6. *Emergency Response Plan.* As part of its final site plan submission, and as a requirement of approval thereof, the Developer shall submit a written plan for emergency response and coordination with local anticipated first responders, to include, at a minimum, the Botetourt County Department of Fire & EMS. If, in the sole discretion of the Botetourt County Chief of Fire & EMS, special training, conducted in Botetourt County, will be necessary for first responders due to the unique or unusual nature of the Project, such training shall be conducted locally and at the Developer's expense. The Plan shall include, at a minimum, response procedures including 24-hour points of contact, and identify points of access for emergency vehicles. The Emergency Response Plan shall be subject to review by the Botetourt County Chief of Fire & EMS, and his approval shall be a precondition to approval of the site plan. The training expenses provided by the Developer shall not exceed the amount that the County otherwise reasonably would expend pursuant to the public procurement process.

7. *Operations and Maintenance Plan.* As part of its final site plan submission, and as a precondition of approval thereof, the Developer shall submit an operation and maintenance plan based on the warranties and specifications of the various equipment used for the turbine operations. The operations and maintenance plan shall substantially conform to the concept plan entitled Rocky Forge Conceptual Plan, prepared by Timmons Group and dated October 28, 2015, with revisions to sheet C1.00, C2.02, C2.02A, C2.03, and C2.03A, dated January 4, 2016, which is attached hereto and expressly incorporated herein as a condition of approval of this Special Exception Permit. The operations and maintenance plan shall be updated prior to commercial operation and the following information shall be made available to a third party inspector. The plan shall include, but not necessarily be limited to:

- a. Construction and commissioning information as is reasonably available for quality assurance and quality control.
- b. Confirmation of turbine manufacturer maintenance warranty periods and recommended operation and maintenance intervals.
- c. Periods of all scheduled maintenance and a general list of included activities.
- d. Inventories, for parts onsite.
- e. Methods of data collection and record keeping for on-site activities.
- f. Plan for end of warranty activities including any inspections and condition reports.
- g. An operations and maintenance contracting plan to address the period beyond the s initial one to three year operations and maintenance scope.

8. *Sound.* The Developer shall submit a post-construction sound model, including actual test data, to demonstrate that with final wind turbine siting, when all turbines have been constructed and are commercially operational, sound levels will not exceed 60 dB(A) at the project boundaries, except during short-term exceptional circumstances, such as severe weather.

9. *Flicker Model.* Prior to or contemporaneous with submission of its site plan, and as a precondition of approval thereof, the Developer shall submit an updated shadow flicker model to demonstrate that with final wind turbine siting, shadow flicker at Residences 2 and 3, as identified in the shadow flicker study entitled Shadow Flicker Analysis for the Rocky Forge Wind Project, prepared by AWS Truepower and dated October 16, 2015 will remain below the threshold of 30 minutes per day on any day and 30 hours in total annually.

10. *Permit-by-Rule Process.* Prior to submission of a site plan, and as a condition of approval thereof, the Developer shall pursue and obtain a permit from the Virginia Department of Environmental Quality (DEQ) through the Permit by Rule process, set forth in Va. Code §§ 10.1-1197.5 *et seq.*, as amended. The Developer shall submit to the zoning administrator all final DEQ applications, public and agency comments, and the final permit text. The final permit text shall be submitted to the zoning administrator, by certified mail not later than seven days following its issuance. Such permit is expressly made a part of this special exception permit, and is a condition hereof.

11. *Vegetation Restoration Plan.* Prior to or contemporaneous with submission of its site plan, and as a precondition of approval thereof, the Developer shall provide a vegetation restoration plan that identifies the areas to be restored, methods of restoration, species to be planted, and a monitoring plan to ensure the successful establishment of vegetation.

12. *Stormwater Management and Erosion & Sedimentation Control.* The Developer shall comply with all provisions of state law and the Botetourt County Code relating to stormwater and erosion and sedimentation control.

13. *Decommissioning Plan.* As part of its final site plan submission, and as a precondition of approval thereof, the Developer shall submit a detailed decommissioning plan which shall substantially conform to the general decommissioning plan entitled Rocky Forge Wind Project Decommissioning Report, prepared by Garrad Hassan America, Inc. "DNV GL", and dated October 1, 2015,. Such plan shall contain, at a minimum:

- a. Procedures and processes for:
 - i. Removal of the wind turbines, cabling, electrical components, and associated facilities to four feet below grade and decompaction of soils to a depth of four feet.
 - ii. Salvaging topsoil and natural debris for post-construction site restoration.
 - iii. Removal of turbine foundation pedestals and concrete transformer pads removed to a depth of four feet. The remainder of the spread footing may remain in place.
 - iv. Disassembling the Project's substation and components, which shall not include any facilities that may be maintained or needed by the owner/operator of the electric transmission facilities.
 - v. Reuse, salvage, or proper off-site disposal of the various components of the system.
 - vi. Regrading to preconstruction conditions and drainage patterns subject to relief from such requirement if such regrading would create a greater

- environmental impact that leaving the grade unchanged.
- vii. Replacing soil and organic material.
 - viii. Replanting and erosion control measures meeting or exceeding the requirements of the Botetourt County Stormwater and Erosion & Sedimentation Control ordinances, as amended.
- b. A schedule for decommissioning and restoration of site, including triggering events. The landowner may, upon request to and approval of the zoning administrator, retain or maintain any post-construction elements that are otherwise in conformance with the Botetourt County Code, such as landscaping, grading, roads, crossings, or structures after decommissioning.
 - c. In addition to any other decommissioning requirements set forth in this Condition, if one or more wind turbines is permanently taken out of service or is inoperable for 12 consecutive months, the turbine tower, rotors, and transformers shall be removed unless consent is granted by the zoning administrator for a longer time period. The below ground or ground-level structures (e.g., electrical collection cables and junction boxes) may remain in place until the Project is fully decommissioned.

14. *Maintenance and Reporting.* Developer shall operate the Project in accordance with the detailed Operations & Maintenance Plan. Once a year, no later than July 1 of each calendar year, the Developer shall submit to the zoning administrator a report that outlines the status of the Project. The Report shall include current contact information for a 24-hour, seven-day-a-week person the public may contact with inquiries and complaints as set forth in the condition related to mitigation, below.

If any change occurs in the ownership of the Project, the Developer shall provide notice to the zoning administrator within 10 days thereafter and update the information for the project contact.

If the Developer receives a notice of violation, is served with legal process, or otherwise receives notice of commencement of any investigation by any state or federal regulatory agency for any actual or alleged violation of laws relating to the operation of the Project, the Developer shall notify the zoning administrator promptly in writing, in no case later than 14 days after the Developer receives actual notice of such event.

15. *Mitigation.* The project contact shall investigate, in coordination with the zoning administrator, any complaint relating to:

- a. Sound or noise;
- b. Signal interference to any television, radio, or other communication device;
- c. Shadow flicker; or
- d. Construction or operations.

If, after receiving the Project contact's response to such complaint, the zoning administrator determines the complaint is founded and as such, constitutes a violation of the conditions of this Special Exception Permit, or the zoning ordinance, the Developer shall remedy any such nonconformity within a reasonable period of time as determined by the zoning administrator.

16. *Compliance with Laws.* The construction, maintenance, and operation of the Project shall comply with all provisions of federal, state, and local law.

17. *Remedies.*

- a. Notice of Violation. If the zoning administrator determines that a violation of any provision of this special exception has been violated, the zoning administrator may issue a notice of violation which shall specify therein a reasonable period of time during which to remedy such violation. If the violation remains unremedied at the expiration of such time, the zoning administrator may pursue all remedies available under law, including criminal, civil, and injunctive relief.
- b. Revocation. Upon notice and public hearing as set forth in Va. Code § 15.2-2204, for any violation or reasonably apprehended violation of this special exception permit or any other provision of law, the Board of Supervisors may revoke this special exception permit.



BACKGROUND REPORT

**Planning Commission - Public Hearing
January 2016**

Prepared by the Department of Development Services

PROJECT SUMMARY

Fralely Family Restated Irrevocable Dynasty and Fraley Family Irrevocable Dynasty Trust (Apex Clean Energy, Inc., lessees) requests a Commission permit and a Special Exception Permit with possible conditions to construct a utility scale wind energy system in the Forest Conservation (FC) Use District.

PLANNING COMMISSION ACTION

The Planning Commission must make a recommendation to the Board of Supervisors as to the approval, approval with conditions, or denial of these requests. The Planning Commission has the authority to place conditions on a Special Exception Permit as appropriate.

STAFF COMMENTS

In June of 2015, after months of staff work, joint work sessions with the Planning Commission, and public input which included a community meeting and web-based survey, the Botetourt County Board of Supervisors unanimously approved text amendments to incorporate utility-scale wind energy systems in the Zoning Ordinance.

Representatives from Apex Clean Energy, who have secured all the rights to the property for this request, met with representatives of the County's Planning and Zoning office, Development Services, and county administration for two pre-application meetings regarding this request on September 15 and October 23. During that time, staff reviewed components of the proposed application and assisted with the identification of important viewpoints for the visual impact analysis required by the ordinance.

Due to the complexity of utility scale wind energy, the Board of Supervisors issued an RFP for a consultant to review such an application. ANTARES Group, Incorporated was selected as the consultant and has been reviewing the application since the contract was executed. The report findings are included in the packet. As a result of the staff review, and the consultant review, it appears that with additional conditions, Apex Clean Energy can meet the requirements set forth in the ordinance. ANTARES completed a technical review of the applicant and provided the following analysis:

"[ANTARES] found the application to be substantially complete and in compliance with applicable codes and regulations. To the extent that potential gaps were identified in the materials present, ANTARES is of the opinion that this is largely the result of the "preliminary" nature of the conceptual site plan and the current status of the development process. With regard to the environmental, historical and cultural review for the project, permitting processes are currently underway at the State and Federal Level that will address the relevant sections of the Ordinance and SEP process. No major environmental permitting gaps were

Fralely Family Restated Irrevocable Dynasty and Fraley Family Irrevocable Dynasty Trust (Apex Clean Energy, Inc., lessees)

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identified that would not be addressed during a DEQ and Corps of Engineers permitting process.

It is ANTARES opinion that as the development and permitting process proceeds, the Applicant will be able to supply sufficient details to ensure that ordinance and permitting requirements are met, and the potential impacts resulting from the project will be properly mitigated.

In addition to information which can be conditionally required to be submitted during the site plan review process, ANTARES suggested the following information be provided prior to the hearing:

- Methodology for site monitoring and procedures for addressing noise complaints.
- Clarify the use of warning signage

Apex Clean Energy, in an email to the county on January 5, addressed the usage of warning signage and site monitoring through proposed conditions which have not yet been reviewed by the county attorney. However, the conditions provided in this report address mitigation for noise complaints and the applicant states that warning signage will be installed as appropriate.

Generally staff agrees with all of the findings in the report. Staff's main concern with the application is the conceptual layout of the majority of the features identified as part of this utility-scale wind energy system. Staff expressed concern to ANTARES regarding how the studies and models would change if turbines were sited in different locations, were smaller, or were fewer in number, all which would be considerable changes to the project. It was of the opinion of ANTARES that these changes would not increase the impacts of the project on the neighboring community or for Botetourt County as a whole.

Due to the conceptual nature of the project, the applicant submitted a number of conditions that if approved, are intended to mitigate the impacts of the project on the surrounding environment. In addition, further conditions are recommended by staff and ANTARES Group, Incorporated, the consultants retained by the country to review utility-scale wind energy at the expense of the applicant. The county attorney reviewed and provided feedback regarding all proposed conditions, with the exception of conditions related to Decommissioning, which are pending additional review. Those conditions can be found at the end of this report, prior to draft motions.

APPLICATION INFORMATION

Applicant:	Fraleley Family Restated Irrevocable Dynasty and Fraley Family Irrevocable Dynasty Trust (Apex Clean Energy, Inc., lessees)
Request:	Commission Permit and Special Exception Permit, with possible conditions
Tax Map Number:	20-3 and 13-2
Magisterial District:	Fincastle
Report Prepared By:	Nicole Pendleton
PC Meeting:	January 11, 2016
BOS Meeting:	January 26, 2016

LEGAL ADVERTISEMENT

Fincastle Magisterial District: FRALEY FAMILY RESTATED IRREVOCABLE DYNASTY and FRALEY FAMILY IRREVOCABLE DYNASTY TRUST (Apex Clean Energy, Inc., lessees) requests a Commission permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Forest Conservation (FC) Use District to construct a wind energy system, utility-scale, on two parcels, the first

Fraleley Family Restated Irrevocable Dynasty and Fraley Family Irrevocable Dynasty Trust (Apex Clean Energy, Inc., lessees)

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being 4350.00 acres and the second being 1520.49 acres. Approximately 200 acres located within the boundaries of these properties will be utilized for up to 25 wind turbines and ancillary equipment and the related construction, operation and maintenance thereof. The turbines will be no greater than 550 feet in height and are proposed to be located along approximately 3.5 miles of the southernmost portion of North Mountain. The entrance will be generally located on the north side of secondary Route 622 (Dagger Spring Road), approximately 5.2 miles east of the intersection of Route 622 and secondary Route 694 (Gala Loop), to be accessed by a proposed gravel road, identified on the Real Property Identification Maps of Botetourt County as Section 13, Parcel 2 and Section 20, Parcel 3.

EXISTING CONDITIONS & BACKGROUND

The property included in this application consists of the entirety of two parcels (13-2 and 20-3), located in the northeast corner of the county. A portion of the property adjoins Rockbridge County. Approximately 200 acres located within the boundaries of these parcels are proposed to be utilized for wind turbines and related facilities. The applicant states that this is less than 3% of the property. These parcels are situated on the southernmost portion of North Mountain, which runs northeast to southeast along the northeastern side of the county. North Mountain is west of the Blue Ridge Mountains and is along the eastern front of the Allegheny/Appalachian Mountains. North Mountain varies in elevation from 1,200 to 3,440 feet with steep slopes, long ridges and continuous valleys. The nearest community is Eagle Rock, which is just over 4 miles to the southwest. Mill Creek is located near the southern boundary of the property. There is a natural gas easement operated by Columbia Gas and existing Virginia Electric and Power Company overhead transmission lines running parallel to a portion of Mill Creek along the southern and eastern boundary of parcel 20-3.

The majority of these parcels are dominated by mature hardwood forest with some areas of younger growth hardwood forest, where previous timber harvests occurred. Several open fields are present along existing and proposed access routes and ridgeline. There is an existing dwelling on the property, and one is currently under construction. In addition, there are three temporary meteorological (MET) towers and a SODAR unit located on the site. These permits were applied for in August 2015, and two of the three have been inspected and finalized. The third MET tower is pending a final building inspection. During these site visits and others, staff observed no construction or clearing being conducted without a permit.

PROPOSED DEVELOPMENT

The applicant is proposing to install up to 25 turbines, with a maximum generating capacity of up to 75 MW of power, on approximately 3.5 miles of the North Mountain ridgeline. In addition to the turbines, an operations and maintenance building will be constructed and operated by approximately 6-8 personnel during normal business hours. This building will house offices and associated equipment for staff. It will likely include a garage for spare components, parts and tools needed for maintenance. The concept plan indicates that the site for this facility will require approximately 5 acres of area and will need to accommodate a building structure "typically up to" 100' X 65' with offices and garage spaces as well as parking. The applicant is proposing that this facility will be located in one of two places as shown on the concept plan. Option 1 is located approximately 500 feet from the property line adjacent to Dagger Springs Road, and approximately 800 feet from Blue Grass Trail. This site would be located adjacent to the proposed inter-connect substation and proposed substation site. Option 2 is identified on sheet 2.01 and 2.01A as being adjacent to Dagger Springs Road directly between the existing house and the cabin under construction on the property.

The turbines are proposed to be accessed by a 36 foot wide gravel access road. A heavy equipment/construction access gravel road, also 36 feet in width, is also shown on the concept plan. The concept plan identifies the limits of clearing and grading to 125 feet in width, parallel to the centerline of the

proposed gravel roads. The concept plan identifies clearing in widths of approximately 50 feet in width for the underground electric line connecting turbines identified as 10 through 23, and clearing up to 140 feet for the electric lines connecting turbines identified as 1 through 25 on the concept plan. The eastern transmission corridor to the substation is larger due to the higher number of turbines on more circuits from that string of turbines. The limits of clearing and grading for each turbine is shown on the concept plan as being approximately 150 feet, typically. The applicant will be required to submit a site development plan to include a complete Stormwater Pollution Prevention Plan (SWPPP) for review and approval prior to the commencement of any land-disturbing activity. The contents of the SWPPP shall include but are not limited to an approved erosion and sediment control plan, and approved stormwater management plan, a pollution prevention plan for regulated land-disturbing activities, and a description of any control measures necessary to address a TMDL.

Also, an onsite collection and substation system will be located on the site. The wind turbines will be connected via underground electrical lines to the 34.5 kV collector system, which will aggregate the energy from the turbines to a collector substation. The collection substation will include a step-up transformer, circuit breakers, a dead-end for connection to the transmission system, insulators and a control building with electronic control devices for protection and control. An overhead 230 kV overhead line of approximately 200 feet is proposed to connect the Project electricity with the transmission lines owned by Virginia Electric and Power Company.

The applicant states that the exact routing of project access roads, siting of project facilities, and the locations and number of wind turbines are general in nature and subject to the completion of detailed engineering, as well as state and federal permitting. Due to the nature of the project, the production of the electricity will require the turbines to be located along the mountain ridge in order to take advantage of the wind resource. Therefore, the applicant states that the locations of the turbines shown on the concept plan are preliminary. The applicant states that the final locations will meet all the requirements of the Wind Ordinance. The applicant will also be required to meet all other zoning ordinance and building code regulations prior to obtaining building code and site plan approval.

Again, due to the conceptual nature of the project, the applicant submitted a number of conditions that if approved, are intended to mitigate the impacts of the project on the surrounding environment. In addition, further conditions are recommended by staff and Antares Group, Incorporated, the consultants retained by the county, to review utility-scale wind energy at the expense of the applicant.

In addition, significant details will need to be addressed concurrently with site plan review, regarding the construction of the project if approved. The applicant states that the project will be constructed in a single phase. The first step following local, state and federal approval involves the engineering of the access roads and various construction areas, the turbine foundations, and the electrical components in order to obtain site plan and building permit approvals. This process is projected to take 8-10 months. Construction of the on-site roads, tower foundations, and building of the substation can take an additional 8-10 months. The actual installation of the turbines is projected to take 2-3 months. The applicant is projecting to be in operation by the fourth quarter of 2017.

The applicant has been coordinating with the Virginia Department of Transportation (VDOT) regarding the delivery of the components of the wind energy system, and has proposed conditions to provide a plan for pre- and post-construction evaluations. The applicant will include a plan for repairing any damage caused to the delivery routes.

The Concept Plan also identifies a 15-acre corner of the property near the proposed entrance from Dagger Springs Road as the construction lay-down area. This is a large, cleared and grassy area. It is likely that a

mobile batch plant site of 3-5 acres will be constructed within this laydown area to mix concrete for the turbine foundations. Other ancillary equipment, such as a rock crusher, with a footprint of up to 20' X 50', will likely be located on site during construction for utilizing existing resources for road and access construction. Off-site storage is not anticipated at this time. Staff has requested that the applicant provide more detail regarding the construction storage yard and any additional dimensions of equipment, as well as how the construction activities at the lay-down may affect surrounding property owners.

All of the turbines are proposed to be within the required setbacks. The concept plan utilizes a turbine height of 546 feet, as such, the setbacks are 600.6 feet to the nearest non-participating property line and 819 feet to the nearest occupied dwelling on a non-participating landowners property. The concept plan indicates that there are no non-participating houses located within 6,100 feet of any proposed turbines.

ADJACENT AND SURROUNDING USES

Northern Botetourt County is characterized by agricultural and forestry land uses as well as low-density residential uses. This predominantly rural environment features floodplain and lowlands in the upper reaches of the James River, set against pastured valleys and steep wooded mountains. Elevations in the area rise from 1000' near the riverside to above 3000' at the peaks of the mountains. The property is bounded to the North by Jefferson National Forest and to the East by Rockbridge County. A conservation easement lies on an adjacent property to the west.

ZONING

The subject parcels, and all adjacent property, lie in the Forest Conservation (FC) Use District. The purpose of the FC District is intended to preserve and enhance the natural appearance and function of the county's ridges, valleys and forest lands, to maintain the high quality of air and water resources, and low density of development. Utility-scale wind energy systems, subject to the standards of [Section 25-446](#), are permitted only by SEP in the FC Use District. Please review to the technical support provided by ANTARES in regards to how each component of the requirements set forth in the supplemental regulations governing utility scale wind energy systems in Section 25-446 are proposed to be met.

Several additional sections of the Zoning Ordinance regulate the type of development proposed by this request. First, the purpose of [Section 25-583. – Special exceptions](#). is designed to provide for discretionary review of requests which could have the potential for a deleterious impact upon the health, safety and welfare of the public, and in the event such uses are approved, provides the Board of Supervisors with the authority to impose conditions that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity.

There are over 30 factors to be given reasonable consideration for the granting of an SEP; these factors relate to fire safety, noise, light, signage, groundwater supply and soil capacity, and the effect of the SEP on environmentally sensitive land or natural features, wild life habitat and vegetation, water and air quality, the provision for desirable employment and enlargement of the tax base, locations of floodplain and steep slopes, security features, and others.

The provisions for permitting utility scale wind energy systems by SEP were incorporated in the zoning ordinance through text amendments that were unanimously recommended by the planning commission and unanimously approved by the Board in June of 2015. Those amendments set out a series of additional considerations for an SEP application, as well as imposes additional regulations throughout the development

process, including during site plan and building permit review, as well as imposes additional requirements and regulations that, if not met, would constitute a violation of the Zoning Ordinance.

Due to the complexity of utility scale wind energy systems, the Board of Supervisors issued an RFP for a consultant to review such an application. ANTARES Group, Incorporated was selected as the consultant and has been reviewing the application since the contract was executed. The report findings are included in the packet. As a result of the staff review, and the consultant review, it appears that with additional conditions, Apex Clean Energy can meet the requirements set forth in the ordinance.

2010 COMPREHENSIVE PLAN

The 2010 Comprehensive Plan identifies future land uses in this area as Conservation.

This category is meant to identify steep slopes, lands protected by conservation easements, 100-year floodplains, and properties within the Carvins Cove watershed. Future development in these areas should be prohibited or extremely limited. The applicant states that this category recognizes areas that may be difficult to develop in traditional ways, but can serve other purposes and benefits to the County.

In addition, the comprehensive plan identifies economic development as a primary goal for the county. A strong, diversified tax base is a key element of the goal (p.43). Wind energy is a new source of revenue for the county that is part of a growing global industry. In relation to environmental considerations, specific environmental impacts which should be addressed for new development are listed on page 80. These include elements specifically mentioned in the zoning ordinance including required assessments of vegetative removal, potential grading and erosion resulting from the project, and visual modeling to assess impact on viewsheds. Slope is also addressed and provides for the consideration of appropriate development on parcels with extreme topography.

While the project does not specifically impact the air quality of the county in the short term, the importance of air quality to the county is notable within the context of renewable energy projects. Renewable energy projects produce considerably less emissions than other kinds of energy production. An economy which incorporates and capitalizes upon renewable energy is a key element of air pollution reduction in the Commonwealth and nationally. Air quality is specifically mentioned on page 75.

Lastly, the Comprehensive Plan makes mention of the importance of preserving viewsheds. Page 50 outlines the importance of preserving scenic views for the county, specifically stating that “visibility of wireless towers and other tall structures” should be minimized in accordance with this goal. In addition, there is a goal of limiting ridgeline development as well.

The importance of conformance with the Comprehensive Plan, which is a necessary consideration for the granting of an SEP, as well the granting of the Commission Permit, is one that must be looked at collectively, rather than by examining each aspect of the plan or its pages separately. The purpose of the Comprehensive Plan is “to promote balanced growth and development while protecting the County’s natural environment and cultural resources. This shall be accomplished through the application of sound planning principals and the implementation of complementary development controls” (2).

UTILITIES

The Operations and Maintenance facility will be served by private water and sewer. The electric lines on the property are owned by Virginia Electric and Power Company (VEPCO), now Dominion Power.

TRAFFIC

2014 VDOT traffic data for this segment of Dagger Spring Road indicates that there is an Annual Average Daily Traffic (AADT) of approximately 40 vehicles.

VDOT

VDOT comments are included for your review.

FIRE AND RESCUE

The Eagle Rock and Glen Wilton Fire and Rescue Stations will provide fire and rescue services to this property. The Glen Wilton Fire and Rescue station is located approximately 15 miles from the entrance of the subject property, while the Eagle Rock Fire and Rescue station is located approximately 9 miles from the property entrance.

SCHOOLS

The number of students for the school system will not be directly impacted by this request.

PUBLIC COMMENT

No public comments have been submitted at this time. Additional comments may be forthcoming at the public hearings.

SUGGESTED CONDITIONS

If approved, staff suggests the following conditions. These conditions were derived from proffered conditions as submitted by the applicant, as well as by ANTARES, staff and were reviewed and edited by the county attorney.

The following conditions are imposed by the Board of Supervisors of Botetourt County as express conditions on the approval of the SEP for a utility scale wind energy system on Botetourt County Tax Map Parcels 20-3 and 13-2. These conditions are binding upon the owner, applicant, and their heirs, assigns, and any other successor or successor in interest ("Developer"), as if fully set forth in the codified text of the Botetourt County Zoning Ordinance.

1. *Conformance with Concept Plan.* All development on Botetourt County Tax Map Parcels 20-3 and 13-2 shall substantially conform to the Rocky Forge Conceptual Plan prepared by Timmons Group and dated October 28, 2015, with revisions to sheet C1.00, C2.02, C2.02A, C2.03, and C2.03A, dated January 5, 2016, which is attached hereto and expressly incorporated herein as a condition of approval of this Special Exception Permit. Any substantial deviation from the concept plan, as determined in the sole discretion of the zoning administrator, shall require an amendment to this special exception permit through new public hearings before the Planning Commission and the Board of Supervisors and approval by the Board of Supervisors.

2. *Total Number of Turbines.* No more than 25 turbines, whether they are in actual operation or not, shall be located on the Property.

3. *Construction Traffic Management Plan & Mitigation Measures.* As part of its final site plan submission, and as a requirement of approval thereof, the Developer shall provide a construction traffic management plan, which shall include, but not necessarily be limited to:

- a. A construction traffic management plan (CTM) for:
 - i. Traffic control, including lane closures, flagging procedures, directional and informational signage, and designated access points for deliveries and employee access;
 - ii. Designated delivery and parking areas;
 - iii. Designated routes for deliveries of equipment and materials on primary and secondary roads, as well as routes for any railroad deliveries;
 - iv. Dust mitigation plans;
 - v. Road monitoring and policing on Dagger Springs Road, Gala Loop Road, and Botetourt Road (Route 220), which shall include cleaning roadways of mud tracked onto the road from construction-related traffic.
- b. Pre-Construction Road Evaluation: Prior to or contemporaneous with submission of the site plan, the Developer shall submit the Virginia Department of Transportation (VDOT) an evaluation of the condition of the road surface and road shoulders for any delivery routes identified in the CTM. The Pre-Construction Road Evaluation shall include an evaluation of planned commercial entrances to be approved by VDOT. The Pre-Construction Road Evaluation shall also include an estimate for the cost of any repairs to public roads or highways that may be caused by construction activities related to the Project. Surety shall be posted for such repairs as hereinafter set forth. The Pre-Construction Road Evaluation must be approved by VDOT prior to or as part of the site plan approval process.
- c. Post-Construction Road Evaluation: After completion of construction, the Developer shall submit a post-construction evaluation of the road surfaces and road shoulders on the delivery routes identified in the CTM. The Post-Construction Road Evaluation shall be submitted to VDOT for approval. The Post-Construction Road Evaluation shall include a plan for repairing any damage identified therein, and the Developer shall be responsible for causing such identified repairs to be completed within the timeframe set by VDOT.

4. *Hours of Construction.* The hours of construction shall be limited to 7 a.m. to 8 p.m., except when otherwise required by the terms of state or federal permits or emergency situations. The occurrence and nature of any emergency situation shall be reported by telephone, email, or other expeditious method as soon as reasonably practicable, in no case later than 48 hours after the occurrence of such event.

5. *Site Plan & Construction Surety.* The following sureties shall be submitted in the form of a surety or a letter of credit prior to final approval of the site plan, in an amount satisfactory to the zoning administrator and in a form acceptable to the county attorney:

- a. Repair Surety. A surety in the full amount of estimated and approved costs of complying with the Pre-Construction Road Evaluation shall be provided. Such bond

shall be released within six months following certification of final completion of any such necessary repairs and final inspection and acceptance.

- b. Construction Sureties. The Developer shall provide all sureties provided in the Botetourt County Zoning, Subdivision, Stormwater, and Erosion & Sedimentation Control Ordinances.
- c. Decommissioning Surety. The decommissioning surety shall be no less than \$3,861,000, and shall be updated as set forth in Botetourt County Code § 25-446, as amended.

6. *Emergency Response Plan.* As part of its final site plan submission, and as a requirement of approval thereof, the Developer shall submit a written plan for emergency response and coordination with local anticipated first responders, to include, at a minimum, the Botetourt County Department of Fire & EMS. If, in the sole discretion of the Botetourt County Chief of Fire & EMS, special training, conducted in Botetourt County, will be necessary for first responders due to the unique or unusual nature of the Project, such training shall be conducted locally and at the Developer's expense. The Plan shall include, at a minimum, response procedures including 24-hour points of contact, and identify points of access for emergency vehicles. The Emergency Response Plan shall be subject to review by the Botetourt County Chief of Fire & EMS, and his approval shall be a precondition to approval of the site plan.

7. *Operations and Maintenance Plan.* As part of its final site plan submission, and as a precondition of approval thereof, the Developer shall submit a detailed operation and maintenance plan which shall substantially conform to the concept plan entitled Rocky Forge Conceptual Plan, prepared by Timmons Group and dated October 28, 2015, with revisions to sheet C1.00, C2.02, C2.02A, C2.03, and C2.03A, dated January 5, 2016, which is attached hereto and expressly incorporated herein as a condition of approval of this Special Exception Permit. The detailed operations and maintenance plan shall include, but not necessarily be limited to:

- a. Detailed construction and commissioning documentation for overall quality assurance and quality control and for reference during operation.
- b. Copies of all manufacturer's operating manuals for the turbines and appurtenant equipment, including warranties and maintenance intervals.
- c. Spare parts inventories, including spare parts to be stored onsite.
- d. Methods of record-keeping and data collection for operations and maintenance.
- e. Plan for end of warranty inspections and third-party inspections.
- f. Proposed operations and maintenance contracting plan beyond original equipment manufacturer's initial one to three year operations and maintenance scope.

8. *Sound.* The Developer shall provide, prior to commencing operation of energy-generation at the Property, submit a post-construction sound model, including actual test data, to demonstrate that with final wind turbine siting, sound levels will not exceed 60 dB(A) at the project boundaries. In no case may sound levels at the boundaries of the Property exceed 60 dB(A).

9. *Flicker Model.* Prior to or contemporaneous with submission of its site plan, and as a precondition of approval thereof, the Developer shall submit an updated shadow flicker model to demonstrate that with final wind turbine siting, shadow flicker at Residences 2 and 3, as identified in the shadow flicker study entitled Shadow Flicker Analysis for the Rocky Forge Wind Project, prepared by AWS Truepower and dated October 16, 2015], will remain below the threshold of 30 minutes per day on any day and 30 hours in total annually.

10. *Permit-by-Rule Process.* Prior to submission of a site plan, and as a condition of approval thereof, the Developer shall pursue and obtain a permit from the Virginia Department of Environmental Quality (DEQ) through the Permit by Rule process, set forth in Va. Code §§ 10.1-1197.5 *et seq.*, as amended. The Developer shall submit to the zoning administrator all applications, public and agency comments, and the final permit text. The final permit text shall be submitted to the zoning administrator, by certified mail, not later than seven days following its issuance. Such permit is expressly made a part of this special exception permit, and is a condition hereof. If the provisions of the permit-by-rule are inconsistent with the provisions of this special exception, no site plan shall be approved, but instead the Developer must seek an amendment to this special exception permit in order to conform it to the permit-by-rule.

11. *Vegetation Restoration Plan.* Prior to or contemporaneous with submission of its site plan, and as a precondition of approval thereof, the Developer shall provide a vegetation restoration plan that identifies the exact areas to be restored, methods of restoration, species to be planted, and a monitoring plan to ensure the successful establishment of vegetation.

12. *Stormwater Management and Erosion & Sedimentation Control.* The Developer shall comply with all provisions of state law and the Botetourt County Code relating to stormwater and erosion and sedimentation control.

13. *Decommissioning Plan.* Conditions regarding the Decommissioning Plan are pending further review by the county attorney.

14. *Maintenance and Reporting.* Developer shall operate the Project in accordance with the detailed Operations & Maintenance Plan. Once a year, no later than July 1 of each calendar year, the Developer shall submit to the zoning administrator a report that outlines the status of the Project. The Report shall include current contact information for a 24-hour, seven-day-a-week person the public may contact with inquiries and complaints as set forth in the condition related to mitigation, below.

If any change occurs in the ownership of the Project, the Developer shall provide notice to the zoning administrator within 10 days thereafter and update the information for the project contact.

If the Developer receives a notice of violation, is served with legal process, or otherwise receives notice of commencement of any investigation by any state or federal regulatory agency for any actual or alleged violation of laws relating to the operation of the Project, the Developer shall notify the zoning administrator promptly in writing, in no case later than 14 days after the Developer receives actual notice of such event.

15. *Mitigation.* The project contact shall investigate, in coordination with the zoning administrator, any complaint relating to:

- a. Sound or noise;
- b. Signal interference to any television, radio, or other communication device;
- c. Shadow flicker; or
- d. Construction or operations.

If, in the sole discretion of the zoning administrator, such complaint is determined to be founded, the Developer shall remedy any such nonconformity with a reasonable period of time as determined by the zoning administrator.

16. *Compliance with Laws.* The construction, maintenance, and operation of the Project shall comply with all provisions of federal, state, and local law.

17. *Remedies.*

- a. Notice of Violation. If the zoning administrator determines that a violation of any provision of this special exception has been violated, the zoning administrator may issue a notice of violation which shall specify therein a reasonable period of time during which to remedy such violation. If the violation remains unremedied at the expiration of such time, the zoning administrator may pursue all remedies available under law, including criminal, civil, and injunctive relief.
- b. Revocation. Upon notice and public hearing as set forth in Va. Code § 15.2-2204, for any violation or reasonably apprehended violation of this special exception permit or any other provision of law, the Board of Supervisors may revoke this special exception permit.

DRAFT MOTIONS

Commission Permit

Approval:

I move that the Commission Permit be forwarded to the Board of Supervisors with a recommendation of approval on the basis that the proposed request is consistent with the comprehensive plan and the purposes and intent of the zoning ordinance.

Denial:

I move that the Commission Permit be forwarded to the Board of Supervisors with a recommendation of denial for the following reasons...

...and on the basis that the proposed request is **NOT** consistent with the comprehensive plan and the purposes and intent of the zoning ordinance.

Special Exception Permit

Approval, with conditions:

I move that the Special Exception Permit for a wind energy system, utility-scale, on Botetourt County Tax Map Parcels 20-3 and 13-2, be forwarded to the Board of Supervisors with recommendation for approval subject to the conditions as included in the background report prepared by staff, and as updated and presented at the public hearing:

[or with modifications]

And on the basis that the requirements of Section 25-583 of the Zoning Ordinance have been satisfied, and that the proposal would serve the public necessity, convenience, general welfare, and is good zoning practice.

Denial:

I move that the Special Exception Permit for the property of a wind energy system, utility-scale on Botetourt County Tax Map Parcels 20-3 and 13-2, be forwarded to the Board of Supervisors with recommendation for denial on the basis that the requirements of Section 25-583 of the Zoning Ordinance have not been satisfied due to the following reasons: _____

Nicole Pendleton
Planning Manager / Zoning Administrator
Department of Community Development
5 West Main Street, Suite 100
Fincastle, VA 24090

Dear Ms. Pendleton,

The findings expressed in this letter are based on the data provided to Botetourt County by Apex Clean Energy, and transmitted to ANTARES via Dropbox on November 24th, 2015. ANTARES makes no warranties, expressed or implied, concerning the actual performance of the applicant's Wind Energy Project. Outside of the requirements of the scope of work as described below, ANTARES makes no claims regarding the accuracy or completeness of any documents supplied by third parties upon which it has relied for its review.

In accordance with our contract dated December 1, 2015, ANTARES has completed a technical review of Apex Clean Energy's application for Special Exception Permit (SEP) to construct a utility-scale wind project on 7,355 acres of private land located on North Mountain. The primary objectives of the review were to:

- Determine whether the application was complete within the meaning of County Code Section 25-446,
- Determine whether the project and conceptual plan are in compliance with local, state, and federal codes,
- Evaluate the overall reasonableness, fit, and consistency of the project with community and economic development goals.

Antares provided a complete Technical Report to the county on December 30, 2015. A summary of the report's findings is included below and the Attachment to this letter lists recommended conditions and supplemental information that the County should request of the Applicant prior to, or as a condition of SEP approval.

ANTARES found the application to be substantially complete and in compliance with the applicable codes and regulations. To the extent that potential gaps were identified in the materials presented, ANTARES is of the opinion that this is largely the result of the "preliminary" nature of the conceptual site plan and the current status of the development process. With regard to the environmental, historical and cultural review for the project, permitting processes are currently underway at the State and Federal level that will address the relevant sections of the Ordinance and SEP process. No major environmental permitting gaps were identified that would not be addressed during a DEQ and Corps of Engineers permitting process.

ANTARES found the proposed project to be consistent with our interpretation of the County's Economic and Community Development Goals, and with the goals set forth in the Comprehensive Plan. However, an important part of this finding is that the applicant's claims regarding increased tax revenue and other economic benefits are realized. To the extent practical, it should be impressed upon the applicant and County officials that these benefits are important, and that any final development agreements are consistent with these goals.



It is ANTARES opinion that as the development and permitting process proceeds, the Applicant will be able to supply sufficient details to ensure that ordinance and permitting requirements are met, and that potential impacts resulting from the project will be properly mitigated.

In order to meet the requirements set forth in Sec. 25-446, and Sec. 25-583, ANTARES recommends that approval of the SEP permit be contingent upon the conditions described in the attachment to this letter.

Sincerely,



Heidi Alsbrooks
Renewable Energy Analyst
540-442-9848 ext. 701
halsbrooks@antares.org

Attachment: [Recommended Conditions for SEP Approval]
cc: Kevin Comer, ANTARES Group

CONDITIONAL APPROVAL RECOMMENDATIONS

1.1 PRIOR TO CONDITIONAL SEP APPROVAL

ANTARES recommends that the following information be provided to the County by the Applicant prior to Conditional Approval of the SEP, as these items were specific requirements of §25-446(o).

Sound Study:

As noted in §25-446(o)(4)(e) and §25-446(o)(8)(g), the SEP application must include methodology for the ongoing monitoring of the project site during its operational life to confirm compliance with the 60 dB(A) noise ceiling. Procedures must also be specified for handling public noise complaints, and should include at a minimum: points of contact, time frames, and measurement methodology. These should also be provided as part of the O&M Plan required by §25-446(o)(8)(e).

Concept Plan:

Consistent with 25-446(o)(4) the Applicant will need to clarify usage of warning signage on wind turbines, electrical equipment, and project entrances.

1.2 CONDITIONS FOR SEP APPROVAL

ANTARES recommends that SEP approval be contingent upon the following conditions:

O&M Plan:

ANTARES found the material provided is complete with respect to the requirements of the wind ordinance and the level of detail available at this stage of development. Based on past experience, communication with industry stakeholders, and plans for similar projects, ANTARES suggests that a condition of SEP approval be that the following additional information must be submitted concurrently with the site plan application, and that it be subject to review by independent third party, at the county's option.

- Detailed construction and commissioning documentation should be compiled during construction phases for overall QA/QC and for reference by the O&M team during the operation phase. This documentation may also help serve as a starting benchmark for maintaining the condition of all system infrastructure.
- Statement from manufacturer stating maintenance warranty period and recommended O&M intervals.
- Details on all major equipment warranties including terms and lengths.
- Periodicity of all scheduled maintenance and list of included activities.
- Spare parts inventory (for spare parts stored on-site).
- Method of data collection and record keeping/access.
- Plan for end of warranty activities including 3rd-party inspection and condition report.
- Proposed O&M contracting plan beyond initial stated 1-3 year OEM O&M scope.
- A written plan for emergency response and coordination with local anticipated first responders, which has been reviewed and approved by local fire and EMS services. Local responders may require educational training to inform their efforts on-site; such training for local responders should be conducted at the Applicant's expense.
- Plan for coordinating response, evaluating, and mitigating complaints with regard to signal interference.

Environmental Inventory and Impact Statement:

ANTARES found the requirements of the Ordinance to be unmet, due to processes in progress. The DEQ Permit-by-Rule process is still underway. ANTARES recommends that approval of the SEP be subject to a condition that requires the following to be submitted concurrently with the site plan application and prior to site plan approval:

- Documentation from the VADEQ of their approval of the project and required mitigation measures.
- Documentation from the Applicant, in the form of delivery confirmation or return receipt, that notification letters were delivered to owners of historic property and natural resources located within 5 miles of the project.

Sound Study:

The pre- and post-construction sound models have been performed to meet requirements of the Wind Ordinance. ANTARES recommends that as a condition of SEP approval, the county request an updated post-construction sound model be created for the final site plan, to demonstrate that sound levels will not exceed 60 dB(A) at project boundaries.

Concept Plan:

ANTARES considers the requirements of this section of the Ordinance to be unmet, due to processes in progress. ANTARES suggests that the approval of the SEP be contingent upon the applicant supplying the following, during the site plan review process and prior to site plan approval:

- Documentation from the applicant and VADEQ from showing review or comments from Virginia Department of Game and Inland Fisheries (VDGIF); Virginia Department of Conservation and Recreation, Division of Natural Heritage; and Virginia Department of Historic Resources as well as any proposed mitigation.
- Clarifications to concept plan for final design:
 - As part of the final design plans, the developer should provide a vegetation restoration plan that identifies exact areas to be restored, methods of restoration, species to be planted, and a monitoring plan ensuring successful establishment of vegetation.
 - As part of the final design plans, the developer should include the size and location of any stormwater BMPs needed, if any, to comply with state stormwater management requirements based on the amount of land clearing and impervious surface. If compliance with state stormwater management laws can be achieved without the need for constructing BMPs, then the applicant needs to provide a statement to this affect.
 - VHB notes that the easternmost UGE corridor between the substation and the T25 turbine appears to be 125 feet wide, while the label indicates a 65-foot width. The applicant should clarify the accuracy of the width.
 - Note 11 on the cover sheet C0.00 indicates no sewer or water is proposed. Yet, the plans show an Operations and Maintenance (O&M) site(s) that will be occupied by permanent employees. This building will be required to have bathroom facilities utilizing water and sewer. The applicant will need to provide information on the source of the water and the method of sewer treatment. If a well and septic system are required, the plans need to indicate the location of these features demonstrating compliance with state regulations administered by the Virginia Department of Health

Shadow Flicker:

ANTARES found the requirements of the Ordinance to be met, with conditions recommended. ANTARES suggests that a condition of SEP approval be the inclusion of an updated shadow flicker model with the site plan application, prior to site plan approval, to ensure potential for shadow flicker at residences two and three in the shadow flicker study remains below the recommended maximum threshold of 30 minutes daily and 30 hours annually.

Decommissioning Plan:

ANTARES found the requirements of the Ordinance to be met, with conditions recommended. The following items of the report should be addressed in the final Decommissioning Plan, to be submitted during the site plan review process, and prior to the approval of the site plan.

- Section 4.3 of the Report states that “any roads or crossings built for the Project will be left in place for the use of the landowners unless otherwise specified.” Pursuant to §25.446 (o)(13)(a) of the Botetourt Wind Energy Ordinance, all roads constructed for and related to the project are to be removed unless required for access to buildings retrofitted for other purposes, or unless approved to remain by the zoning administrator. The Report should be revised or a request for these roads to remain should be formally submitted to the zoning administrator.
- Section 4.4 of the Report covering site reclamation activities should include de-compaction of any compacted soils to a depth of 4 feet pursuant §25.446 (o)(13)(b) of the Botetourt Wind Energy Ordinance.
- The Introduction of the Report states that time value of money is not considered in the estimate. The final surety amount should be adjusted to account for this discrepancy between modeled estimate and real-world conditions. As suggested by the report, the higher value of the decommissioning costs range (20% range) may be used in part to account for these time value economics.
- The Botetourt Wind Energy Ordinance §25.446 (o)(13)(e) stipulates the conditions under which a wind energy system may be deemed abandoned. These standards deem a system abandoned when failing to operate for one year without consent from the county. In keeping with typical industry best practices, the final Decommissioning Plan should consider abandonment to include any individual turbine’s failure to operate without prior consent for the stated one year period.
- ANTARES recommends that the applicant include in its Report a decommissioning schedule for timing of all activities in relation to the agreed-upon decommissioning triggers. As per §25.446 (o)(13) of the Botetourt Wind Energy Ordinance, restoration is to be completed within 150 days following the date of discontinued operation with an option for an additional 150 day extension at the discretion of the zoning administrator.
- The applicant estimates the total range of decommissioning costs with a higher-value at \$3,510,000. This value should be finalized with an additional 10% contingency added as per §25.446 (o)(13)(g) of the Botetourt Wind Energy Ordinance. The total surety estimate as would then be totaled at \$3,861,000.



COMMONWEALTH of VIRGINIA

Office of the Governor

Molly Joseph Ward
Secretary of Natural Resources

January 21, 2016

The Honorable Donald M. Scothorn, Chair
Botetourt County Board of Supervisors
1 West Main Street
Fincastle, Virginia 24090

Dear Chairman Scothorn and Members of the Board:

I am writing in support of Apex Clean Energy's application for permit and a special exception permit for Rocky Forge wind farm.

If approved, this site would be home to the first wind farm in Virginia and would mark a huge step towards the Commonwealth's renewable energy goals. Additionally, Jerry Fraley is currently in discussion with the U.S. Forest Service and Virginia Department of Conservation and Recreation to preserve his 9,800 acre property in perpetuity. This conservation easement would be the second largest in the state, a considerable accomplishment in its own right.

I have personally visited the proposed site and met with Mr. Fraley. Having toured his property, I can attest to both its beauty and ecological significance. We are grateful for Mr. Fraley's vision, his devotion to his land, and his commitment to stewardship.

Sincerely,

A handwritten signature in black ink that reads "Molly Ward".

Molly Joseph Ward