

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, February 23, 2016, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P. M.

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

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 2:00 P. M.

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

Mr. Jim Farmer, Interim Director of Parks, Recreation, and Tourism, then introduced Mr. Greg Sink to the Board. He noted that Mr. Sink was recently hired in the Department's maintenance division as Athletic Turf Maintenance Supervisor and will be responsible for the maintenance of turf on the 40 athletic playing surfaces on various County and school properties. Mr. Farmer stated that Mr. Sink, who lives in Daleville, has 17 years of experience in this field including working with two local landscape companies and seven years as a Landscape Maintenance Manager with Roanoke City.

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

Mr. Leffel then asked Mr. Sam Sprinkel and Fire Chief Jeff Beckner to come forward. Mr. Leffel noted that Mr. Sprinkel began as a volunteer with the Fincastle Fire Department in 1948 and has served as the department's Treasurer since 1955. He stated that Mr. Sprinkel was also a charter member of the Fincastle Rescue Squad, was one of the first Botetourt County residents to obtain his emergency medical technician certification, and has served on the regional emergency medical services board for several years.

He stated that Mr. Sprinkel is present at today's meeting to receive a Lifetime Achievement Award from the County. Mr. Leffel then related a story of when he and Mr. Sprinkel worked together at Roanoke Cement Company.

Chief Beckner stated that those who currently work in fire and rescue are "tending them for the next generation." Chief Beckner stated that he considers Mr. Sprinkel a hero for his volunteer efforts over the past 68 years. He then noted that Mr. H. Dean Paderick of Troutville was the first recipient of the County's Lifetime Achievement Award.

Mr. Sprinkel was then presented with a mounted fire ax.

Chief Beckner then presented Mrs. Sprinkel with flowers in appreciation for the many times that Mr. Sprinkel was called away from home to respond to emergency calls. He then thanked the Board for participating in this presentation.

Mr. Sprinkel then thanked the boards of supervisors and citizens that have made it possible for the volunteer fire and rescue agencies to operate over the years. He noted that it was not one individual—it was teamwork that allowed the organization to succeed. Mr. Sprinkel also

thanked his wife for the sacrifices that she has made during his work with the fire department and rescue squad.

Mr. Sprinkel thanked the Board of Supervisors for seeing the vision and for their financial contributions toward the Fincastle emergency services facilities. He noted that the Board and the Town of Fincastle have been great supporters and offered a special thanks to Mr. John Kilby with the Bank of Fincastle for his efforts and backing of the fire department.

Mr. Sprinkel then recognized his family members present at today's meeting and noted that they have been great supporters. He also thanked Sheriff Ronnie Sprinkle and his staff who have been of tremendous help during emergency responses to accidents, fires, etc. He noted that all of this was done as a team and he thanked the County for the opportunity to serve and to be present at today's meeting.

Mr. Martin stated that he spent over 20 years in service to the Blue Ridge Rescue Squad and he (Mr. Martin) thought that he had seen a lot during that time but Mr. Sprinkel has spent over 60 years in public service. Mr. Martin thanked Mr. Sprinkel for his many years of dedicated service to the County and its citizens.

The Board members agreed with Mr. Martin's statement and Mr. Sprinkel was given a standing ovation.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the minutes of the regular meeting held on January 26, 2016, were approved as submitted. (Resolution Number 16-02-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were seven pass-through appropriations for expenditure reimbursements and receipt of State grant funds for the Board's consideration this month.

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following additional appropriations. (Resolution Number 16-02-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Additional appropriation in the amount of \$4,874 to Clerk of Circuit Court – Maintenance Service Contracts – 100-4021600-3320. These are State funds received that are being used to pay for records management maintenance expenses.

Additional appropriation in the amount of \$4,731.59 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. These are funds received from Greenfield Athletic Booster Club for equipment purchased through Botetourt County.

Additional appropriation in the amount of \$30,500 to Tourism – Professional Services, 100-4081600-3100. These are Virginia Tourism Corporation grant funds which will be applied to social media campaign costs.

Additional appropriation in the amount of \$815 to Volunteer Fire & Rescue - Instruction & Training, 100-4032200-3180. This is for a reimbursement of EMT course costs.

Additional appropriation in the amount of \$145,524.80 to CIP – E-911 System, 100-4094301. These are VITA (Virginia Strategic Plan for Information Technology) grant

funds received for hardware and software enhancements for the County's E-911 System. Two invoices totaling \$117,969.80 are included in this month's accounts payable and are covered by these grant funds.

Additional appropriation in the amount of \$2,570.23 to Sheriff's Department – RAID Patrol, 100-4031200-5830. This is a quarterly reimbursement of RAID program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$594.34 to Correction & Detention – Medical and Lab Supplies, 100-4033100-6004. These are reimbursed medical costs received from Craig County for their inmates.

Consideration was then held on approval of the Accounts Payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$914,100.85; \$830,407.15 in General Fund invoices; and \$83,693.70 in Debt Service expenditures. He also noted that this month's Short Accounts Payable totaled \$367,974.03; \$364,919.03 in General Fund invoices; and \$3,055 in Debt Service Fund expenditures.

Mr. Zerrilla stated that this month's large expenditures included \$117,969.80 payable to Southern Software and Slait Consulting for software and hardware for the E-911 system. He noted that this project is being funded with State grant monies. Mr. Zerrilla further stated that \$139,948 was paid to Timberworks of Interest for progress payments on the relocation of two buildings in Greenfield; \$27,408 payable to Magic City Motor Company for the purchase of a 2016 Ford Explorer for the County Administrator; \$223,949 payable to Fesco Emergency Sales for an ambulance chassis remount; \$66,837.40 to the Botetourt County Health Department for their quarterly budget payment; and \$39,939 to Dovetail Cultural Resources for archeological work on the Greenfield property. Mr. Zerrilla noted that grant funds will be used to pay for the remounted ambulance chassis.

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the Accounts Payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 16-02-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Leffel then noted that Mr. Steve Clinton would now be allowed 15 minutes to give a presentation on a collaborative proposal regarding the Greenfield historical structures. Mr. Leffel further noted that he also had four citizen requests to speak on this same topic and those individuals would each be allowed three minutes to make their comments.

Mr. Clinton stated that this presentation is to offer the Board a collaborative initiative to ensure the preservation of historic artefacts on the Greenfield property and the economic development potential of this property. Mr. Clinton stated that former Board of Supervisors member Bill Loope stated that serving the public is 5% pain and 95% pleasure and he hopes that what is offered today will decrease the 5%.

Mr. Clinton stated in Mr. Douglas Henton's book "Grassroots Leaders for a New Economy," it mentions that "the secret of successful communities is effective collaboration among business, government, and community leaders in addressing new challenges and opportunities." Mr. Clinton noted that this is what we are faced with regarding the Greenfield shell building site.

Mr. Clinton stated that, to give some background on how did we get where we are and who is involved in this issue, he began discussing this issue with some citizens and found out that they had a lot in common and he wanted to assist in this situation. Mr. Clinton further stated that he has an interest and love for American history and has a background in engineering and construction management and endorses the idea of economic development.

He noted that a group called the Friends of Greenfield Preston Plantation (FGPP) has been formed and is proposing a collaborative initiative with the County through the creation of a four-person panel to discuss co-locating the proposed shell building, slave quarters, kitchen, and the Jefferson garden, and any historic human burial areas on Parcel C in Greenfield. Mr. Clinton stated that the FGPP thinks and hopes that this proposal will help this situation.

Mr. Clinton stated that the question of "why now" is because this issue has "taken a life of its own" over the past few months and is being discussed across the region and State. He noted that "all of the armies in the world do not have the strength and power of an idea whose time has come." Mr. Clinton stated that the FGPP did not anticipate that one of the two historical buildings would be relocated earlier today; however, this does not deter them and does not change their proposal. Mr. Clinton stated that the four-person panel would work together for a three week period to arrive at a more inspired approach to this development.

He noted that the proposal's guiding principles include exploiting to the maximum practical extent the economic, cultural, aesthetic, and historic assets of the proposed co-location site, preserve and respect the County's and Roanoke Valley Development Foundation's goals and expectations for the shell building, preserve and protect the cultural/historic assets on the site, and remain mindful of the relationship of the historic buildings to the eventual development of the Lewis and Clark Eastern Legacy Trail and the County's related historic assets.

As to execution of this proposal, Mr. Clinton stated that, immediately upon the County's approval of this agreement, a temporary, three-week stop work order would be issued to the contractor and during this period the panel will meet and consider other ways to approach this issue in order to have all of the facilities previously mentioned located on one parcel. Mr. Clinton stated that the group is asking that the Board of Supervisors approve this proposal by midnight tomorrow (February 24), as time is of the essence.

Mr. Clinton stated that the FGPP has \$40,000 in an escrow account that can be deposited with the County within 48 hours of acceptance of this proposal to be used to defer some of the expenses related to the stop work order. A facsimile of this \$40,000 check was then presented to the Board. He noted that at the end of this three week period, \$100,000 and up to \$150,000 will be paid to the Board to cover this unplanned delay's expenses. Mr. Clinton stated that the group has a considerable time and talent commitment from at least a dozen private citizens and several established charitable historic preservation organizations, including the Mountain Valley Preservation Alliance, the Ceres Foundation, the County's Historical Society, and the National Trust, to provide these funds. He noted that this proposal has received sincere interest and commitment.

Mr. Clinton then asked that the Board provide an open-minded evaluation and consideration of this proposed. Mr. Clinton stated that the group understands that this puts the Board in a difficult position and requests that this proposal be approved. Mr. Clinton stated that, if it were him, he thinks that he would stop the construction. Mr. Clinton further stated that he does not believe that the project's contractor is bonded. He noted that these buildings are priceless and,

if something happens and the County has to sue for damages, then there is no surety to call upon.

Mr. Clinton stated that he is grateful for the time allowed to speak today and thanked the Board for their consideration in approving this request. He noted that, through this collaborative initiative, the panel will be able to find a solution to these co-location issues. Mr. Clinton stated that he has a fully executed copy of the agreement for the Board's consideration.

The Board thanked Mr. Clinton for his comments.

Mr. Kevin Hamm, VDoT's Maintenance Operations Manager, was then present to speak to the Board. Mr. Hamm stated that Route 608 (Indian Rock Road) will be reduced to one lane effective March 7 for a culvert replacement project. Regarding land development projects and land use permits, Mr. Hamm noted that one project is under review and six entrance, utility, and building move permits have been issued in the past month.

Mr. Hamm noted that the recent snow storms resulted in approximately 75 instances of trees blocking VDoT roadways especially along Craig Creek Road (Route 615). He noted that it will take approximately a month to have all the rights-of-way cleared. He noted that an area near the Route 220/615 intersection will be used to stockpile the brush until it can be removed. Mr. Hamm stated that VDoT continues to work on repairing potholes as time and temperatures allow. He noted that there are also flooding events anticipated for tomorrow that VDoT crews will have to deal with.

Regarding traffic engineering studies, Mr. Hamm stated that the request for delineators at a crossover on Route 460 have been installed and the delineators along EastPark Drive should be installed in the next two weeks.

Mr. Martin thanked VDoT for their snow removal efforts during this winter's two storms. Mr. Martin further noted that he received one call last week regarding tractor trailers using Mountain Pass Road.

Mr. Hamm stated that there have been two additional incidents of trucks becoming stuck on the curves on Mountain Pass Road and VDoT is working to have the County's through truck restriction request approved. He noted that this restriction process began in June and it takes approximately 9 months to complete the process. Mr. Hamm noted that VDoT's Salem office has reviewed the request twice, and the Salem District representative on the Commonwealth Transportation Board has to review the request before it is sent to VDoT's Richmond office for final consideration.

After questioning by Mr. Williamson, Mr. Hamm stated that he expects to receive a response from their traffic engineering staff soon on the request to combine three turning lanes into one turning lane on Route 220 northbound in Daleville.

There being no further discussion, Mr. Hamm then left the meeting at this time.

Mrs. Claudine Ellis of Vinton then thanked the Board for their time in allowing her to speak at this meeting. Mrs. Ellis stated that she is concerned about graves on the Greenfield property that the Board plans to level for the construction of a shell building.

Mrs. Ellis stated that she "knows someone" that can show the location of specific gravesites before the property is graded. Mrs. Ellis asked that this be considered and recommends that it be done before grading begins. She stated that, if remains are found, they should

be removed with dignity as “the families deserve that much” and “it will be the right thing to do.” She asked that the Board please consider this request.

Mrs. Angela Coon of Fincastle stated that she was born in Fincastle and has never found a place she likes better. Mrs. Coon stated that she does not want to see the historical site at Greenfield destroyed and is disappointed that the Board does not seem to understand where Botetourt County comes from.

Mrs. Coon stated that she understands that the County needs industrial development and she knows that the County was one of the leaders in forging our nation. Mrs. Coon noted that she is a member of the Botetourt County Historical Society and a former teacher. She stated that programs are needed on why Botetourt County is so important to the nation’s history so that when a situation like this occurs again an egregious mistake is not made.

Mrs. Coon stated that she cried earlier this morning when she found out that the slave dwelling had been moved and thought about the white and black lives that created this nation. She noted that “we need to be pulled together” not apart. Mrs. Coon stated that she wants to ensure that the buildings are preserved correctly.

Mrs. Shirley Johnson Lewis of Thirlane Road in Roanoke stated that she wants the Board of Supervisors to stop “raping Greenfield and violating the remains of her people.” Mrs. Johnson Lewis stated that she “did not fall” for the archaeological testing that was done which showed that there were no graves in the area of the kitchen and slave quarters. She asked that the Board let her ancestors rest in peace.

Mrs. Johnson Lewis stated that her generation had to endure a deplorable educational system and a blind eye was turned to injustice. She said that people have the power to do the right thing but they do not do so. Mrs. Johnson Lewis stated that she is sorry that the Board has not taken the will of the people into consideration in this situation as the artifacts and preservation of history on this site is worth consideration.

Mrs. Johnson Lewis stated that she thought that the Board would do the right thing and not be narrow-minded. She stated that this is a smack in the face and the Board is putting “their foot at her throat” and violating the remains of her people. She asked that the Board “do what is right.”

Mrs. Anna Basham Merchant of Coaling Road in Troutville thanked the Board for allowing her to speak. Mrs. Merchant stated that she has been upset all day watching what has been occurring in Botetourt County. She said that it has been 20 years since a decision was made about developing Greenfield but the Board of Supervisors has now made a decision to move the historic buildings and bulldoze the hill which will desecrate this hallowed ground for the construction of a shell building.

Mrs. Merchant stated that the decision to eradicate our history is uncalled for. She noted that many citizens have asked the Board to reconsider this project. Mrs. Merchant stated that the buildings were supposed to be moved in April but this has been pushed back to February which is Black History Month and she thinks that this is a “slap in their face.”

Mrs. Merchant noted that the Board of Supervisors was elected to serve all citizens of Botetourt County and they should consider everyone including the black community in their decisions. Mrs. Merchant stated that she feels “disregarded” as a black person because the Board pushed this project back to February and this action is saying to the black people that they do not count. Mrs. Merchant stated that the Board still has time to prove her wrong.

Mr. Jim Farmer, Interim Director of Parks, Recreation and Tourism, then gave a presentation on the Department's annual report and the 2016 event schedule for the Botetourt Sports Complex. Mr. Farmer stated that a majority of his department's operating budget is used to maintain 500 acres of County property at schools, libraries, business parks, the Greenfield ETC, the County office complex in Fincastle, four recreation parks, 26 school and park playgrounds, and several trails and waterway access points. He noted that they also provide support to the towns, civic groups, and other County departments for events, when needed. Mr. Farmer noted that over 2,500 young people participated in team sports activities in 2015, another 2,000 participating in outdoor programs/camps, and over 2,300 adults participated in various programs. Regarding Tourism, Mr. Farmer noted that Ms. Lisa Moorman will provide a report on that department's activities later this summer.

Mr. Farmer then introduced Mrs. Jenna Moran, President of the Greenfield Booster Club, to the Board. He noted that she is a community advocate for youth athletics and will share a summary of her experiences as a mother, coach, and Club president.

Mrs. Moran stated that she participated in County recreation-department sports when she was a child. She stated that sports gives kids a sense of pride, gets parents involved in coaching or on a booster club, provides a "positive" in their lives, and gives them a place to play.

She encouraged the Board members to come out and see the atmosphere at the games and activities sponsored by the Parks and Recreation Department. She noted that it is a benefit for the children and pushes them to do better in life, school, and sports. Mrs. Moran stated that the Department has done a great job and they appreciate the funding that the Board provides to Parks and Recreation.

Mr. Farmer then stated that the Board had been provided with a copy of the Sports Complex's schedule for 2016. He noted that the first tournament is on March 11-13 and their season runs until mid-October. He noted that the Women's College Military Appreciation Tournament is scheduled for October 1-2 and teams from Virginia Tech and the University of Virginia are scheduled to participate.

Mr. Farmer then introduced Mr. Andy Dooley to the Board. He noted that Mr. Dooley is involved in the Moose International which is partnering with the Amateur Softball Association (ASA) to bring the Special Olympics North America Softball tournament to the Roanoke Valley in mid-August, is a former National President of the ASA, and a member of the Bedford County Board of Supervisors.

Mr. Dooley thanked the County for their partnership with softball and for co-hosting the Special Olympics tournament with the City of Salem this summer. He noted that Botetourt County has one of the best softball complexes in the country and he then recited a story of a man from Missouri who attended a previous tournament. Mr. Dooley stated that this man complained about how far away the Sports Complex was from Salem but once he visited the facility his opinion changed. Mr. Dooley noted that "seeing was believing" in this case.

Mr. Dooley stated that 2016 will continue to be another good year for the County including the Special Olympics softball tournament which will have 32 teams from Arizona, California, Connecticut, Kansas, Mississippi, Nebraska, Texas, and other states. He noted that Moose International has raised over \$200,000 per year to pay for this event's costs. Mr. Dooley stated that this tournament will bring over 600 players and coaches and their families to the Sports Complex and Moyer Field in Salem and over 100 volunteers will be needed to help during the tournament.

Mr. Dooley encouraged the Board to come and watch this tournament which should be a boost to the County's tourism efforts. He thanked the Board for their time.

The Board then thanked Mr. Farmer, Mrs. Moran, and Mr. Dooley for their comments.

A public hearing was then held on proposed amendments to the County's procurement policy under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA). Mr. Lockaby stated that these amendments are to implement an alternative procurement method under the PPEA that allows a locality to solicit or accept unsolicited proposals for public/private partnerships to design, build, finance, and operate infrastructure, technology, and other public projects.

He noted that the County can only enter contracts with private entities under the Virginia Public Procurement Act's provisions. Mr. Lockaby stated that, before the County can solicit/accept proposals under PPEA, guidelines for processing applications need to be approved. He noted that the guidelines included with this agenda item are based on a model developed by the Commonwealth's Division of Legislative Services and the Virginia Department of General Services. Mr. Lockaby stated that these guidelines can be used for infrastructure projects and planning for future growth services to increase the productivity and efficiency of the locality.

Mr. Lockaby stated that VDoT lobbied the General Assembly for the Public-Private Transportation Act (PPTA) in 1995. He noted that, after VDoT had some success with the model, the PPEA followed in 2002. He noted that this Act allows for the receipt of conceptual proposals either solicited or unsolicited where a public/private partnership would be beneficial. He noted that the Board could either accept or decline the proposal and if it is accepted, the Board could accept a fee to review the proposal prior to a detailed proposal review process. Mr. Lockaby stated that, only if the Board decides that they want to accept the proposal for consideration, must they advertise for competing proposals. He noted that review of the proposal by staff and other bodies may be involved, public hearings would be held to provide input into the project, the Board would then enter a formal contract with the proposer(s) to do detailed design and obtain public input on the proposal and then the comprehensive agreement would be negotiated and signed.

Mr. Lockaby stated that an example of a PPEA project would be the design/build of a new headquarters for the Virginia Department of Game and Inland Fisheries, redevelopment of a downtown block in Virginia Beach, water system and land-use planning on the James River in Fluvanna and Louisa counties, etc. After discussion, Mr. Lockaby stated that a public/private partnership arrangement is more flexible than what the current Procurement Act permits.

Mr. Williamson stated that these provisions are a great idea. Mr. Dodson agreed.

After questioning by Mr. Leffel, it was noted that there was no one present to speak in regard to this matter. The public hearing was then closed.

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board accepted the amendments to the County's procurement policy under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) as presented. (Resolution Number 16-02-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Fire Chief Jeff Beckner was then present to give an update on the new Fire/EMS drug and substance abuse testing policy. Chief Beckner stated that this policy was adopted by the Fire and EMS Commission in late 2015. He noted that the Commission members include seven volunteer fire department chiefs, four volunteer rescue squad captains, Mr. Martin, Mr. Dodson, and himself

Chief Beckner stated that, by a majority vote of the Commission in October 2015, all operational fire and EMS personnel were required to be tested for drugs and illegal substances by February 1, 2016. He noted that all volunteer fire and EMS personnel were made aware of the testing site locations and screenings were scheduled at various stations in the County.

Chief Beckner stated that he would like to thank Deputy Chief Jason Ferguson for his work on this program. He noted that, to date, 188 volunteer personnel have been tested.

After discussion, Chief Beckner stated that drug testing has become a professional standard in career fire and EMS departments but less so in volunteer departments. Chief Beckner stated that he is proud of the volunteer chiefs and captains who voted for this substance abuse testing policy.

After questioning by Mr. Williamson, Chief Beckner stated that all new hires and those currently in the fire/EMS system have participating in random drug testing as of this time. He noted that only one individual tested positive; however, that was due to prescription medication that the individual was taking.

After questioning by Dr. Scothorn, Chief Beckner stated that he has received a couple of letters from volunteers in opposition to this program but they are working to resolve these concerns/issues.

After questioning by Mr. Dodson, Chief Beckner stated that background tests and fingerprints are required by the State on fire and rescue personnel.

Mr. Martin commented Chief Beckner and the Fire/EMS Commission for their implementation of this policy and the manner in which it was done.

Chief Beckner stated that the captains and chiefs want what is best for the citizens.

Mr. Leffel stated that he is proud of the leadership shown by the captains and chiefs in this issue. He then thanked Chief Beckner for this presentation.

Mrs. Traci Clark, Voter Registrar, was then present to request the advertisement of a public hearing on proposed amendments to Chapter 9. Elections of the Botetourt County Code to change the Troutville/Cloverdale precinct boundaries and polling place. Mrs. Clark noted that background information on this request was included in the Board's information packets.

She noted that this request was brought about by complaints received from voters at the Valley District's Troutville precinct in the November 2015 election regarding the polling location (Orchard Hills Church). Mrs. Clark stated that the citizens, a majority of whom were coming from the opposite direction, were concerned with the need to make a U-turn at the EastPark Drive/Cloverdale Road (Alternate Route 220) intersection to access the church's entrance. She also noted that the speed limit on this section of Alternate 220 is 55 mph and the entrance into the church is not well marked.

Mrs. Clark stated that she and the Electoral Board have worked on a solution to this issue over the past few months. She noted that they are proposing that the Troutville precinct boundary be adjusted so that those voters who reside on the south side of Alternate 220 currently in the Troutville precinct can be transferred to the Cloverdale precinct which votes at

Read Mountain Middle School. She noted that this change would impact approximately 450 voters at this time. She further stated that it is recommended that the polling place for the Troutville precinct be moved to Troutville Elementary School.

Mrs. Clark stated that the Town of Troutville has voted to move the polling place for Town elections back to the Town.

Dr. Scothorn thanked Mrs. Clark and the Electoral Board for addressing this issue. He noted that several citizens contacted him regarding this situation and he believes that these proposed precinct and polling place changes are the answer to this issue.

After questioning by Mr. Williamson, Mr. William Heartwell, Vice-Chairman of the Electoral Board, stated that the County no longer has to obtain pre-clearance approval from the U. S. Department of Justice to make precinct boundary and polling place changes.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board authorized staff to advertise for a public hearing at the March regular meeting to consider amendments to Chapter 9. Elections of the Botetourt County Code to change the Troutville/Cloverdale precinct boundaries and polling place. (Resolution Number 16-02-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request to advertise for a public hearing on a proposed amendment to Chapter 25. Zoning, Section 25-163 Uses permissible by special exception, to increase the number of multi-family dwellings allowed in the R-3 Use District from 10 to 16 per net acre. Mrs. Nicole Pendleton, Planning Manager, stated that the Planning Commission and Board of Supervisors have been asked to consider a request in April from Summers Properties, LLC, to rezone approximately 4.7 acres from Business B-2 and Agricultural A-1 Use Districts to a Residential R-3 Use District to develop three apartment buildings to be accessed off of Summerfield Court.

She stated that the applicant is also requesting that Section 25-163 be amended to increase the maximum allowable density by Special Exceptions Permit (SEP) from 10 dwellings per net acre to 16 per net acre. She noted that the current ordinance permits densities of up to 8 dwellings per net acre, by right, and up to 10 dwellings by SEP. Mrs. Pendleton stated that the Planning staff generally agrees with this request and believes that this amendment will not have any significant impact on properties in the County.

Mr. Williamson suggested that staff consider whether the "by right" density should be increased as well.

Mrs. Pendleton stated that this would take some time for the staff to review and consider its impact on the County's residential development.

After discussion by Mr. Williamson, Mrs. Pendleton stated that she will add this topic to the list of items to be considered during the Comprehensive Plan's update.

There being no further discussion, on motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board directed staff to advertise for a public hearing at the April regular Planning Commission meeting, and with Planning Commission action, the Board of Supervisors' April regular meeting, on proposed amendments to Chapter 25. Zoning, Section 25-163. Uses permissible by special exception of the Botetourt County

Code to increase the maximum allowable density for multi-family dwellings by Special Exception Permit only in the Residential (R-3) Use District from 10 dwellings per net acre to 16 dwellings per net acre. (Resolution Number 16-02-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request to advertise for a public hearing on proposed amendments to Chapter 23. Taxation of the Botetourt County Code to change the due date for County taxes. Mr. Bill Arney, County Treasurer, stated that in the four years that he has been in office, he has received complaints from citizens about the December 5 tax due date being so close to Christmas.

Mr. Arney stated that he reviewed the impact of this change on the County's and the Commissioner of Revenue's deadlines and schedules and discussed the issue with Treasurers from localities that have implemented a tax due date change. Mr. Arney stated that changing the tax due date to November 1 would not impact the Commissioner of Revenue's deadlines and work cycles. Mr. Arney further stated that he could find no negative comments from the other localities that he contacted or from several of the County's large commercial/industrial taxpayers about this proposal.

Mr. Arney stated that his office usually receives the tax file data from the Commissioner around the first week of September and they mail out the tax bills between September 15 and October 1 with a new tax due date of November 1. Mr. Arney stated that the State Code requires that the tax bills be mailed out at least two weeks before the due date.

Mr. Arney further stated that he is proposing that a tax penalty date of November 6 be implemented. He noted that any tax payments received between November 1 and 5 would have a "grace period" and not be assessed a late penalty but those payments received November 6 or later would be assessed a penalty. Mr. Arney stated that one of the reasons for this "grace period" is the change in the U. S. Postal Service's mail processing center from Roanoke to Greensboro, North Carolina. He noted that this change has resulted in the mail's postmark being delayed by 2 – 3 days longer than previously.

After questioning by Mr. Martin, Mr. Arney stated that he is proposing a five day grace period after November 1 for receipt of tax payments in his office without a penalty being assessed.

Mr. Arney further noted that this due date change will also help with their delinquent collection procedures, including debt set-off and Department of Motor Vehicle holds due to a person not paying their taxes, and will allow supplemental tax bills to be able to be completed and mailed earlier which could result in these revenues being collected before the end of the fiscal year.

Regarding the number of taxpayers impacted by this due date change, Mr. Arney stated that approximately 15% of taxpayers currently pay their taxes by November 5 and a large percentage of landowners use mortgage companies to pay their taxes.

Mr. Leffel noted that mail from Fincastle to Eagle Rock now takes 10 days to be received based on the postmark of several items he has received since the Postal Service transferred the mail processing center to Greensboro.

Mr. Williamson noted that most large businesses take approximately 6 weeks to process their bills, so a 30 day window from mailing the tax bills sometime between September 15 and October to the November 1 due date may cause some issues. He noted that a “larger window” of payment may be necessary to avoid a late fee.

After further discussion by Mr. Williamson, Mr. Arney stated that he would discuss this issue with the Commissioner of Revenue. Mr. Arney noted that his office tries to mail out the tax bills as early as they can each year.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board authorized staff to advertise for a public hearing at the March regular meeting to consider amendments to Chapter 23. Taxation of the Botetourt County Code to change the due date for County taxes from December 5 to November 1, and include penalty and interest commencing on payments received after November 5th. (Resolution Number 16-02-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on leasing property in Botetourt Center at Greenfield to the Economic Development Authority (EDA). Mr. Lockaby stated that County staff is proposing to lease the remainder of the Greenfield property to the EDA so that the Authority can begin some of the work that needs to be done “going forward.” He noted that this property consists of approximately 600 acres and is currently zoned Research and Advanced Manufacturing.

Mr. Lockaby noted that the EDA can move more expeditiously than the County on many aspects of contracts and infrastructure projects. He stated that the deed is still being reviewed by attorneys for the EDA and the County.

Mr. Larrowe stated that, with the approval of this lease, the County will be able to expedite economic development-related activities in Greenfield.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson and carried by the following recorded vote, the Board approved entering into a month-to-month lease with the Economic Development Authority for the Botetourt Center at Greenfield property, zoned Research and Advanced Manufacturing, and authorized the County Administrator to sign the lease agreement on the Board’s behalf, subject to revision by the Authority’s attorney and review and approval by the County Attorney. (Resolution Number 16-02-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Lockaby then noted that action was needed by the Board to appoint Mrs. Kathleen Guzi as a special assistant to the Board of Supervisors from January 15, 2016, through March 31, 2016.

On motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, Mrs. Kathleen D. Guzi was appointed as a special assistant to the Board of Supervisors from January 15, 2016, through March 31, 2016. (Resolution Number 16-02-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on amendments to the Board of Supervisors' bylaws. Mr. Larrowe stated that he is proposing several amendments to the Board's bylaws including under "Agenda," adding a "citizens time" to the agenda to allow the public to comment on any topic for a maximum of three minutes each; under "Hearings," remove the sentence regarding the Chairman's consent for comments to be made on items that are not on the agenda and adding a sentence stating that cumulative/repetitive testimony is not permitted; under "Regular Meetings," change the start time of the regular meeting from 2:00 PM to 12:30 PM to convene in closed session with the public portion of the meeting to begin at 2:00 P. M.; and under "Special Meetings," remove that the Chairman or two or more Supervisors shall request a special meeting in writing and add that notification of a special meeting will be made to the media "in writing" by electronic means.

After discussion by Mr. Martin, it was agreed that the Closed Session portion of the meeting would begin at 12:45 P. M. instead of 12:30 P. M. Mr. Larrowe noted that, if an additional closed session is necessary, it could be held after the 6:00 P. M. rezoning/SEP hearings.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Williamson, and carried by the following recorded votes, the Board approved amendments to their bylaws as attached. (Resolution Number 16-02-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

After discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board reappointed Mr. Kevin Shearer as an alternate member on the Western Virginia Regional Industrial Facilities Authority for a two year term to expire on February 3, 2018. (Resolution Number 16-02-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Martin then noted that the Department of Social Services is continuing with their fraud investigations. He noted that a case was recently referred to the Commonwealth's Attorney for prosecution; however, the individual pled guilty and has agreed to pay \$2,409 in damages. Mr. Martin noted that four additional cases are currently being reviewed by the Department for consideration of referral to the Commonwealth's Attorney.

Mr. Martin noted that a monthly competition has also been implemented in the Social Services Department to see which employee can find the most fraud cases.

Mr. Martin then stated that after a review it was determined that there were some employee payroll issues in 2013 that needed to be resolved. He noted that Social Services staff is checking with the County to see if the Social Services payroll processes can be included under the County's purview.

Mr. Williamson noted that no issues with the County's water systems were discussed at the Western Virginia Water Authority Board met last week. He noted that the Eagle Rock water system has joined the Water Authority; however, the State Corporation Commission has been slow to grant this approval.

Mr. Leffel noted that he has heard nothing but good comments regarding the Eagle Rock water system joining the Authority.

Mr. Dodson noted that the comments he has received indicate that the water quality has improved.

Mr. Williamson then stated that he wanted to clarify a comment made earlier in the meeting. He noted that the Board has never said that the historic structures on the Greenfield property would be moved by April 1. Mr. Williamson stated that these structures, one of which was moved this morning and the second will be moved on Thursday, were supposed to be relocated by February 1. Mr. Williamson stated that it was unfortunate that this occurred in Black History Month; however, weather issues delayed the buildings' relocations until this month.

Mr. Leffel stated that the Greater Roanoke Valley Development Foundation anticipates beginning work on the shell building in April.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board continued the meeting at 3:52 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:00 P. M.

A public hearing was then held on a request in the Amsterdam Magisterial District from Austin Morgan and Hana Quy-Hao Tran Scwend (aka Austen and Hana Schwend) to rezone from a Residential R-1 Use District to an Agricultural A-1 Use District, with possible proffered conditions, for agricultural uses on a 7.65 acre parcel located at 60 Blackberry Lane (State Route 789), Troutville, 0.06 miles northwest of the intersection with Old Sessler Mill Road (State Route 788), identified on the Real Property Identification Maps of Botetourt County as Section 72C (2), Parcel 41.

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

Ms. Amanda McGee, Planner, stated that the applicants, who are present at the meeting, would like to construct a second accessory building and have goats and chickens on this property. She noted that this property is located in the C. M. Greene Farm Subdivision which is mostly zoned Residential R-1.

She then read the proffered conditions recommended for consideration with this request: "1. Uses permitted by right on this property will be restricted to the following to the exclusion of all other uses in the Agricultural A-1 Use District: (a) agriculture, (b) dwelling, single family, (c) group home, (d) home occupation, subject to standards of Section 25-435 of the County Code, (e) temporary family health care structure. 2. Mobile homes are specifically prohibited."

After questioning by Mr. Williamson, Ms. McGee stated that most of the surrounding parcels are predominately zoned R-1 to restrict the location of mobile homes in this development.

Mr. Dodson noted that all of the lots are 5+ acres.

After questioning by Dr. Scothorn, Ms. McGee stated that some of the lots are less than 5 acres in size and one was previously rezoned to A-1 in 2012.

Mr. Martin noted that at the Planning Commission meeting, Mr. Schwend stated that he wanted to rezone his property because the R-1 designation has too many restrictions and Mr. Schwend would like to have some goats and chickens on this property.

Mr. Martin stated that one neighbor spoke during the public hearing on this request that he did not want any pigs located on this property. Mr. Martin further noted that the applicant stated that the property would be fenced as necessary and the parcel would not be subdivided in the future. Mr. Martin further noted that there is no public water or sewer service to this property.

After questioning by Mr. Williamson, Ms. McGee stated that this subdivision was rezoned to R-1 use in 1982.

After questioning by Mr. Leffel, Mr. Schwend stated that he had no further comments to make regarding this request.

After questioning by Mr. Leffel, 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, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning 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 16-02-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

AUSTIN MORGAN and HANA QUY-HAO TRAN SCWEN
(AKA AUSTEN and HANA SCHWEND)

In the Amsterdam Magisterial District to rezone from a Residential R-1 Use District to an Agricultural A-1 Use District for agricultural uses on a 7.65 acre parcel located at 60 Blackberry Lane (State Route 789), Troutville, 0.06 miles northwest of the intersection with Old Sessler Mill Road (State Route 788), identified on the Real Property Identification Maps of Botetourt County as Section 72C (2), Parcel 41.

1. Uses permitted by right on this property will be restricted to the following to the exclusion of all other uses in the Agricultural A-1 Use District: (a) agriculture, (b) dwelling, single family, (c) group home, (d) home occupation, subject to standards of Section 25-435 of the County Code, (e) temporary family health care structure.
2. Mobile homes are specifically prohibited.

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into Closed Session at 6:10 P. M. to discuss the award of a public contract regarding the expenditure of public funds and discussion on the terms/scope of said contract as per Section 2.2-3711(A) (29) of the Code of Virginia of 1950, as amended. (Resolution Number 16-02-16)

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 6:40 P. M.

On motion by Mr. Dodson, seconded by Dr. Scothorn, 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 16-02-17)

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.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board continued the meeting at 6:45 P. M. until 6:00 P. M. on Tuesday, March 8, 2016, in Room 229 of the Greenfield Education and Training Center for a joint meeting with the School Board. (Resolution Number 16-02-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None