

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, February 23, 2021, at the Botetourt County Administration Center in Daleville, Virginia, beginning at 2:00 P.M.

PRESENT: Members: Dr. Donald M. Scothorn, Chairman
Dr. Richard G. Bailey, Vice-Chairman
Mr. Steve Clinton
Mrs. Amy S. White
Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:

Mr. Jim Guynn, County Attorney
Mr. David Moorman, Deputy County Administrator
Mr. Gary Larrowe, County Administrator

The Chairman called the meeting to order at 12:31 P.M.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board went into Closed Session pursuant to the Code of Virginia, 1950, as amended, to discuss the following: Section 2.2-3711.A. 1, Discussion on personnel issues regarding the County Administrator's annual performance evaluation and other specific personnel-related items; Section 2.2-3711.A. 3, Acquisition or disposition of real property for economic development purposes where discussion in open session would adversely affect the County's bargaining position or negotiating strategy namely concerning the Amsterdam (Greenfield), Blue Ridge, and Buchanan districts; Section 2.2-3711.A. 5, Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community in the Amsterdam (Greenfield) and Blue Ridge (Jack Smith Park) Districts; and Section 2.2-3711.A. 7, Consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the County's negotiating/litigating posture regarding a rate increase application submitted to the SCC by AquaVirginia and opioid litigation. (Resolution Number 21-02-01)

AYES: Mr. Martin, Dr. Scothorn, Dr. Bailey, Mrs. White, Mr. Clinton

NAYS: None

ABSENT: None

ABSTAINING: None

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

On motion by Dr. Scothorn, seconded by Mr. Martin, 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 21-02-02)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

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.

Dr. Scothorn then welcomed those present to the meeting

Mrs. White then led the group in reciting the pledge of allegiance.

Dr. Scothorn then quoted the phrase that “no act of kindness no matter how small is ever wasted.” He noted small acts of kindness save a lot of money and help many individuals.

Dr. Scothorn then asked for a moment of silence.

Dr. Scothorn then opened the public comment period. He noted that, if there are many speakers, he may have to interrupt and reschedule the commentary until later in the day in order to keep the meeting on schedule.

Mr. Eric Claunch of Mount Moriah Road in Eagle Rock then stated that he is aware that the Board will receive an update on the current status of the Rocky Forge project during today’s meeting. He noted that the information presented by Apex to date is inadequate for the Board to be able to do their work or oversight on this project.

Mr. Claunch stated that it is reported that discussions with Apex are continuing and questioned “about what.” He stated that this is not adequate insight into this project which requires a high-level project schedule from Apex. Mr. Claunch suggested that a “stoplight” (red, yellow, and green) chart be developed to show progress toward requirements to meet the project’s milestones. He noted that yellow and red items would require an explanation from Apex as to what the issue is that is delaying the project proceeding toward completion.

Mr. Claunch stated that 18 conditions were imposed by the Board in 2020 on the Apex Special Exception Permit but as of today there is no insight on the status of compliance with these conditions. He noted that “only negative outcomes are occurring.” He requested that Apex be required to submit this “stoplight” chart before the end of February and then update it prior to every Board meeting.

After discussion, Mr. Claunch thanked the Board for continuing to listen to the many and growing concerns on this poorly managed project.

Mrs. Melissa Amos of Autumn Lane in Troutville stated that she is President of the Botetourt Education Association. She requested that the Board fully support the FY 22 school budget. She noted that the Board provided funding in the current (FY 21) budget for the purchase of Chromebooks for all middle school students and for air quality improvements in the County’s schools. She also thanked the Board for using CARES Act funds to expand broadband service to the County’s residents and businesses. She noted that these broadband improvements will attract businesses and families to this area, improve the County’s growth, and help the quality of the County’s schools and teachers.

After discussion, Mrs. Amos stated that the School Board is currently working on their FY 22 budget. She noted that Botetourt County is the only locality in this area that has not awarded its employees additional compensation this year. Mrs. Amos stated that the teachers have had increased working hours, including weekends and holidays, due to pandemic-related school closings and also had to deal with teaching virtual classes.

She noted that there were teaching vacancies prior to the pandemic and there are even fewer teachers now because of the pandemic. Mrs. Amos stated that the County’s starting salaries for teachers are below those of Salem and Roanoke County and it is being proposed in the current draft school budget that employees will only increase two steps on their salary scale in FY 22.

Mrs. Amos stated that the goal of the County’s educators is to do what is best for the students.

The Board thanked Mr. Claunch and Mrs. Amos for their comments.

There being no discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following consent agenda item: (Resolution Number 21-02-03)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on January 26, 2021

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was one transfer, 3 pass-through appropriations, and 2 regular appropriations for the Board's consideration. He noted that the transfer request is for a recurring quarterly item, and the appropriations were for receipt of donations, expenditure reimbursements, and for costs that were not anticipated when the FY 21 budget was adopted.

There being no discussion, on motion by Mr. Clinton, seconded by Mrs. White, and carried by the following recorded vote, the Board approved the following transfer and additional appropriations. (Resolution Number 21-02-04)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$ 575.18 to Sheriff's Department - Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from the various departments as follows for vehicle repairs at the County Garage:

\$ 72.05	Animal Cont.–Veh. & Power Supplies, 100-4035100-35100-6009
\$ 84.99	Fire & EMS – Rep. & Maint. – Veh., 100-4035500-35500-3312
\$162.43	Comm. Devel. – Rep. & Maint. – Veh., 100-4081200-81200-3312
\$ 14.71	Van Program – Rep. & Maint. – Veh., 100-4071500-71500-3312
\$ 32.09	Library – Rep. & Maint. – Veh., 100-4073100-73100-3312
\$ 35.05	Purchasing – Rep. & Maint. – Veh., 100-4012530-12530-3312
\$156.75	Recreation – Veh. & Power Supplies, 100-4071100-71100-6009
\$ 17.11	Sports Complex–Rep. & Maint. – Veh, 100-4071300-71300-3312

Additional appropriation in the amount of \$17.91 to Library – Books & Subscriptions, 100-4073100-73100-6012. These are donation monies received from Ann & Michael David for the purchase of e-book titles.

Additional appropriation in the amount of \$3,866.10 to the following Correction & Detention accounts: \$3,457.78 to Medical and Lab Supplies, 100-4033100-33100-6004; and \$408.32 to Uniforms, 100-4033100-33100-6011. The former is for reimbursement of medical costs for Craig County inmates and the latter is for contract payments.

Additional appropriation in the amount of \$6,358.83 to Sheriff's Department - Overtime, 100-4031200-31200-1200. These are funds received for reimbursement costs for providing primarily security and Task Force duties.

Additional appropriation in the amount of \$27,850.33 to Waste Management – Recycling Processing, 100-4042400-42400-3192. This is to cover total expenditures for this expense through January 2021.

Additional appropriation in the amount of \$4,093.66 to CIP – Greenfield ETC Utilization Study, 100-4094000-43000-8012-602. This will cover FY21 expenditures to date for this project.

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 payables totaled \$1,012,204.15. He noted that this month's large expenditures included \$38,767 to the Economic Development Authority for microwave internet equipment for the new Colonial Elementary School and \$46,458 to Architectural Partners for design work on the Circuit Courthouse renovation project.

There being no discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the accounts payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 21-02-05)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request for approval of School Capital Reserve Funds to replace the chiller at Greenfield Elementary School. Mr. Brandon Lee, Director of Business and Finance for the schools, stated that the chiller at Greenfield Elementary School is 21 years old and has reached the end of its useful life. He noted that this project is a candidate for usage of School Capital Reserve Funds.

He stated that this equipment will be purchased through the same procurement method—a purchasing cooperative partnership with Omnia Partners—that the School system used to replace the chiller at Read Mountain Middle School in February 2020. He noted that the cost of this project is not expected to exceed \$185,000.

After discussion, Mr. Lee noted that any usable parts from the Greenfield Elementary chiller will be retained for possible future use on the James River High School chiller which is the same brand/model.

After questioning by Mr. Martin, Mr. Lee stated that the life expectancy of this type of chiller unit is 20 – 25 years

After further discussion, Mr. Martin noted that his questions about this project were answered by Mr. Larowe and Dr. Russ, Superintendent of Schools.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the use of School Capital Reserve Funds in an amount not to exceed \$185,000 to replace the chiller at Greenfield Elementary School. (Resolution Number 21-02-06)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn then gave the Broadband Committee's update report. He noted that a digital map has been developed to show the existing and proposed broadband expansion areas in the County. He noted that this map will be made available on the County's website so citizens will be able to determine if broadband is available in their area. He then had the mapping displayed which showed each infrastructure company's project area and included a telephone number for citizens to call to obtain additional information.

He noted that the maps include the Roanoke Valley Broadband Authority's phase 1 and phase 2 projects which extend from Greenfield, to Etzler and Catawba Roads, and a portion of

Blacksburg Road between Etzler and Catawba Roads. Dr. Scothorn stated that the Blue Ridge Towers' project areas near Blue Ridge Park and I-81 Exit 162 south of Buchanan are also included on the maps. He noted that the Citizens Broadband Radio Service (CBRS), also known as OnGo, project area is not shown on these maps as we do not yet know where this network will extend in the County until the system is tested.

Dr. Scothorn then had mapping displayed which showed the Craig-Botetourt Electric Cooperative's phase 1 and phase 2 project areas in the western part of the County. He noted that the bandwidth speed for CBEC's system is 300 Mbps download/300 Mbps upload. A map showing the Lumos Networks broadband service area as of 2020 (between Eagle Rock and Buchanan and the Brugh's Mill Road area) was then displayed. He noted that in 2021-22 Lumos also plans to construct broadband infrastructure in an area south of Buchanan.

After discussion, Dr. Scothorn further stated that BARC (Bath, Alleghany, Rockbridge Cooperative) and Dominion Energy recently announced plans for a broadband project in the Arcadia/Rockbridge County line area.

Dr. Scothorn encouraged the citizens to review these maps and contact the individual service providers with questions about residential/business connections. He further noted that these on-line maps will be updated as these broadband projects proceed.

Dr. Scothorn also extended his thanks to the members of the Broadband Commission.

A report from the Circuit Courthouse Study Committee was then given. Mr. Clinton noted that the Committee is still in working with Architectural Partners on two concept drawings for the redesign of the Circuit Courthouse. He noted that the Committee's next meeting with the architect is scheduled for this Friday.

Mr. Clinton stated that the architect had delays in their work schedule due to staff members being infected with Covid-19.

After questioning by Dr. Scothorn, Mr. Clinton noted that two conceptual designs for the Circuit Courthouse have been created at this time.

Dr. Scothorn thanked Mr. Clinton for this report.

Dr. Bailey then updated the Board on the recent activities of the CARES Act Committee. He noted that the Committee has completed most of their work regarding expenditure of CARES Act funds received in 2020. He noted that most of these monies were spent on school expenses related to the pandemic such as air filtration improvements and virtual teaching programs and broadband expansion projects to help students with their virtual classes and citizens who worked from home.

Dr. Bailey stated that the Committee's work should be completed in the next month or so and they will conduct an accounting on the usage of these funds to see if there are any unspent funds remaining.

Dr. Scothorn noted that in less than one year the County has completed broadband expansion projects that would have taken 20 years to complete in the normal course of business. He noted that this was a "silver lining" for the County during the pandemic.

Dr. Scothorn then stated that the State of Virginia is proposing to increase funding for the Virginia Technology Initiative (VATI) program for use in broadband infrastructure projects from \$5 million to \$80 million in the next biennial budget.

Dr. Scothorn thanked Dr. Bailey for his report.

Mr. Ray Varney, Resident Engineer with the Virginia Department of Transportation, was then present at the meeting virtually to provide his monthly report.

Mr. Varney stated that there have not been many changes to the report's list of projects since the last Board meeting. He noted that VDoT has been in contact with the contractor on the Route 220 safety improvement project and it appears that the work is behind schedule at this point; however, the contractor believes that the project will be completed this fall. Mr. Varney noted that the wet, snowy, and icy weather over the past month has made it difficult for construction work to be done.

Mr. Varney noted that VDoT continues to conduct preparatory work on roadways for the spring/summer resurfacing program as well as replacing damaged culverts when possible.

Regarding land development projects, Mr. Varney stated that VDoT staff are currently reviewing the subdivision plans for the Daleville Town Center Phase 4 development. Regarding the Orchards of Ashley Phase 1, Section 2 subdivision, Mr. Varney noted that the developer has submitted the initial site plan for VDoT's review.

He stated that VDoT has approved an access exemption for the new Lil Cucci's restaurant for an entrance off of Teresa Lane which is off of Read Mountain Road and this project should move forward soon. Mr. Varney further stated that VDoT's District Bridge staff is currently working with Apex Clean Energy to review the plans for the new bridge on Dagger Spring Road to access the Rocky Forge wind farm site.

After discussion, Mr. Varney noted that 8 utility permits and 7 private entrance permits were issued by VDoT in the past month. Regarding Residency Projects, Mr. Varney stated that VDoT is still waiting to pave Murray Drive to the new Colonial Elementary School; however, with the recent weather issues, this work could take some time before it can be completed. He noted that the weather forecast is that 10 of the next 13 days will have rain but, if conditions allow, VDoT's contractor may be able to have the base pavement placed on the roadway.

Mr. Varney stated that VDoT is still working with some of the property owners on Stone Coal Road to obtain rights-of-entry to allow their contractor to conduct ditch work on this Rural Rustic Road project this summer. He noted that this roadway has a prescriptive easement which only allows VDoT to conduct work/repairs within the roadway's easement, thus the rights-of-entry from the adjacent property owners are needed before this project can proceed. Mr. Varney noted that the impacted landowners are normally very amenable to working with VDoT so that the roadway can be paved.

Mr. Varney noted that new bids for the landscape contract at the Exit 150 roundabout are due on March 1 and he should have some idea by the next Board meeting on the contract's award. He further noted that VDoT is also moving forward with additional maintenance contracts for mowing in this area. He stated that VDoT is also finishing the concrete repair work along Route 11 in this area.

After discussion, Mr. Varney stated that a listing of area headquarters projects including grading/adding stone on gravel roads, pavement patching work, ditch/shoulder/brush trimming work, and pipe replacements on various roadways was also included in the report.

Mr. Varney further stated that he has had a discussion with County staff regarding the upcoming work session with the Board to update the Secondary System Six Year Plan. He noted that this work session is planned for the Supervisors' April regular meeting and the Board will be presented with summary information on the Plan and any proposed revisions.

After questioning by Mr. Clinton regarding VDoT's snow removal budget, Mr. Varney stated that VDoT has \$2.2 million in the current budget for snow removal in the Salem Residency (Roanoke/Botetourt Counties). Mr. Varney stated that, as of this time, he estimates that they have spent approximately \$2.4 million on snow removal with another month of winter remaining.

After questioning by Dr. Scothorn, Mr. Varney stated that the Residency's snow removal budget was under-budget in FY 20 as last winter had few winter weather events.

There being no further discussion, the Board thanked Mr. Varney for his report.

Mrs. Nicole Pendleton, Director of Community Development, then provided an update on the Apex Rocky Forge project. Mrs. Pendleton stated that Mr. Charlie Johnson with Apex is present at the meeting virtually and will provide the Board with additional information on the Rocky Forge project's progress.

Mrs. Pendleton stated that late yesterday her office received a series of plans from Apex for this project; however, the staff has not yet had an opportunity to review the documents to ascertain whether they are complete. She noted that, after staff review and if the plans are determined to be complete, they will be sent out for additional agency reviews.

After questioning by Dr. Bailey, Mrs. Pendleton stated that these agency reviews will be conducted by VDoT.

Mr. Johnson then stated that Apex submitted their plan review package to the County yesterday. He noted that they have chosen the type of turbines as well as the number and height of the turbines to be installed on the Rocky Forge site. He stated that this project will consist of 14 General Electric 5.5 megawatt turbines with a maximum tip height of 612'.

After questioning by Mr. Clinton, Mr. Johnson stated that he can put together information for the Board including a graphic to show the project's schedule and timelines.

Dr. Scothorn then stated that the Board is interested in the means and ways that these turbines will work in all weather conditions. He referenced the severe cold and ice/snow that occurred in Texas last week which shut down a large part of the State's entire energy grid for days.

Mr. Johnson stated that the Texas electrical grid problems occurred due to issues on multiple fronts not just from the wind turbines used to create a portion of the State's electricity. He further stated that Texas is not familiar with handling long-term cold weather events and, therefore, the State's energy generation sources are under-winterized which resulted in last week's worst case scenario where millions of residents were without power for days.

Mr. Johnson stated that electrical generation facilities in Virginia are used to the cold weather and are equipped to handle these conditions.

Mr. Johnson noted that Apex is on track to issue a "notice to proceed" next week for tree clearing on the site. He also noted that a land disturbing permit from the County will be needed for the turbine sites. Mr. Johnson then stated that the turbines have not yet been ordered but the schedule is for them to be delivered in the second quarter of 2022.

After questioning by Mrs. White, Mr. Johnson stated that tree/brush clearing on the site will begin next week and civil engineering work will begin this summer.

After further questioning by Mrs. White, Mr. Johnson stated that he can provide the Board with a map showing the locations of the 14 turbines on the Rocky Forge site. He noted

that this information was included in the plan review package submitted to the Planning/Zoning Office yesterday.

Mr. Clinton noted that this is a huge project and questioned its value. Mr. Johnson stated that this project is estimated to cost \$130 million.

Mr. Clinton stated that there seems to be a lot of indifference about this project on Apex's behalf. He noted that "many things worry him about this project" and he is concerned that the County will, at least, have to become involved in this project. Mr. Clinton stated that he presumes that the project is behind schedule and questioned if there were any County or State agencies or third party entities that are impeding the project's progress.

Mr. Johnson stated there are no impediments to this project from the County or State agencies. He noted that Apex would prefer that the project could be further along; however, this is the shortest time-line wind farm project that Apex has constructed. He stated that there are a lot of pieces for this project to come together.

After further discussion, Mr. Johnson stated that he would put together more detailed information for the Board for their review at their March meeting.

Mrs. White stated that she feels that today's report was a missed opportunity and she would appreciate more details from Mr. Johnson at the Board's next meeting as well as a more thorough explanation of where Apex is with this project.

There being no further discussion, the Board thanked Mrs. Pendleton and Mr. Johnson for this presentation.

A staff update was then given on recent General Assembly action regarding the Virginia Department of Wildlife Resources' (VDWR) boat landing permit/fees. Mr. Cody Sexton, Assistant to the County Administrator, stated that, in December 2020, the Board adopted a resolution in opposition to a new boating access permit and fee that was to be imposed by VDWR.

Mr. Sexton noted that with the assistance of Delegate Terry Austin, a State budget amendment has been submitted to delay this permit/fee implementation until at least July 2022. He noted that this budget amendment also proposes the creation of a study group to better address the goals of the boating fee and how to address recurring parking issues at the State's boat launch sites.

Mr. Sexton stated that the State's budget is currently in conference; however, it has been indicated that this fee will be delayed until 2022. Mr. Sexton noted that Mr. John Mays with Twin River Outfitters in Buchanan is willing to serve on the study group. He then thanked Delegate Austin, Mr. Mays, and Mr. Bill Tanger with Friends of the Rivers of Virginia for their work on this effort.

After questioning by Dr. Scothorn, Mr. Sexton noted that he does not have any information on how the study group will be formed.

There being no further discussion, the Board thanked Mr. Sexton for this update.

Consideration was then held on various appointments.

It was noted that there are two vacancies on the Economic Development Authority for terms that expire on November 1, 2021 and November 1, 2022.

Mrs. White then nominated Mr. David Bryan of 1686 Chestnut Run Road, Buchanan, to serve on the Economic Development Authority. She noted that Mr. Bryan served as the President/CEO of Gala Industries from 1995 – 2018 and during his tenure at the company he was

involved in contract negotiations, international projects, marketing, patent development, and also worked with the Virginia Economic Development Partnership. She noted that Mr. Bryan has also extensively traveled internationally representing the County and the company.

There being no discussion, on motion by Mrs. White, seconded by Dr. Scothorn, and carried by the following vote, the Board appointed Mr. David Bryan of 1686 Chestnut Run Road, Buchanan, to the Economic Development Authority for a term that expires on November 1, 2021. (Resolution Number 21-02-07)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Bailey then stated that he would like to recommend the appointment of Ms. Mary Bess Smith, P. O. Box 156, Fincastle to serve on the Economic Development Authority. He noted that Ms. Smith is a life-long County resident who graduated from Lord Botetourt High School and James Madison University. He noted that she is a certified public accountant and worked for Norfolk Southern Corporation for 31 years before recently retiring. Dr. Bailey noted that she currently works for Delta Dental in Roanoke and has served as the Mayor of Fincastle for many years.

There being no discussion, on motion by Dr. Bailey, seconded by Mrs. White, and carried by the following recorded vote, the Board appointed Ms. Mary Bess Smith, P. O. Box 156, Fincastle, to the Economic Development Authority for a term that expires on November 1, 2022. (Resolution Number 21-02-08)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Bailey, seconded by Mrs. White, and carried by the following recorded vote, the Board reappointed Mr. Richard Clark and Mr. Sean Goldsmith to the Building Code Board of Appeals for four year terms to expire on March 17, 2025. (Resolution Number 21-02-09)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

After discussion, on motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board recommended to the Circuit Court Judge that Mr. Hunter Young be reappointed as the Amsterdam District representative on the Board of Zoning Appeals for a five year term to expire on March 31, 2026. (Resolution Number 21-02-10)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Regarding the vacancy of the Fincastle District representative on the Board of Zoning Appeals, Dr. Bailey requested that this item be tabled until the Board's March meeting to allow him additional time to find an appointee for the Board's consideration.

Dr. Scothorn then thanked Dr. Beth Leffel for her short tenure as the Fincastle District representative on the BZA and requested that staff send her a letter of thanks.

There being no further discussion, the meeting was adjourned at 3:00 P. M. until 6:00 P. M.

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

After discussion with Mrs. Nicole Pendleton, Director of Community Development, Dr. Scothorn stated that the applicants (Roanoke Gas) had requested that the public hearing on the request in the Amsterdam District to rezone, with possible proffered conditions, 46.60 acres from the Forest Conservation FC Use District to the Industrial M-3 Use District in accordance with Section 25-362. Permitted Uses of the Botetourt County Code for the use category listed as: (11) Public utility generating, booster and relay stations; transformer stations; transmission lines and towers; and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations for the purpose of having the properties consistently zoned, in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code. The request involves the following properties: Parcel 101-55, a 75.08-acre tract, of which 31.58 acres is located in the Forest Conservation FC Use District to be rezoned, with the remaining 43.50 acres zoned Industrial M-3 located at 821 Tinker Mountain Road, Daleville; and Parcel 101-53C, a 15.02-acre parcel owned by Roanoke Gas in the Forest Conservation FC Use District located on Tinker Mountain Road (Route 816) in Daleville, southwest of its intersection with Roanoke Road (U. S. Route 220), and identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 55 and 53C, be tabled to allow the company to conduct further discussions with adjacent property owners.

On motion by Dr. Scothorn, seconded by Mr. Clinton, and carried by the following recorded vote, the Board tabled the request in the Amsterdam District from Roanoke Gas to rezone, with possible proffered conditions, 46.60 acres from the Forest Conservation FC Use District to the Industrial M-3 Use District in accordance with Section 25-362. Permitted Uses of the Botetourt County Code for the use category listed as: (11) Public utility generating, booster and relay stations; transformer stations; transmission lines and towers; and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations for the purpose of having the properties consistently zoned, in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code. The request involves the following properties: Parcel 101-55, a 75.08-acre tract, of which 31.58 acres is located in the Forest Conservation FC Use District to be rezoned, with the remaining 43.50 acres zoned Industrial M-3 located at 821 Tinker Mountain Road, Daleville; and Parcel 101-53C, a 15.02-acre parcel owned by Roanoke Gas in the Forest Conservation FC Use District located on Tinker Mountain Road (Route 816) in Daleville, southwest of its intersection with Roanoke Road (U. S. Route 220), and identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcels 55 and 53C, to allow the applicant to conduct additional discussions with the adjacent property owners. (Resolution Number 21-02-11)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Amsterdam District from Virginia Baptist Homes, Inc., and The Glebe, Inc., to rezone, with possible proffered conditions, a total of 71.28 acres to the Residential R-2 Use District in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code, with a Special Exception Permit for a nursing home/life care facility, with possible conditions, and a Special Exception Permit, with possible conditions, for structures in excess of the maximum height, in accordance with Section 25-583. Special exceptions of the Botetourt County Code. The request is for the purpose of updating a previously approved concept plan for the proposed use of nursing home/life care facility and involves the following properties: Parcel 88-25A, a 64.672-acre parcel owned by Virginia Baptist Homes, Inc., located in the Agricultural A-1 Use District, at 200 The Glebe Blvd, in Daleville; Parcel 88-32, a 1.49-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 250 Glebe Road (Route 675) in Daleville; Parcel 88-32A, a parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 40 and 50 Draper Place in Daleville, VA; Parcel 88-31, a 2.1-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District located at 200 Glebe Road, Daleville; Parcel 88-30, a 1.305-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District in Daleville, located 0.1 miles southeast of intersection of Glebe Road and Roanoke Road (U. S. Route 220); and Parcel 88-29, a 1-acre parcel owned by The Glebe, Inc., in the Residential R-1 Use District located at 122 Glebe Road, Daleville. These parcels are identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 25A, 32, 32A, 31, 30, and 29.

It was noted that the Planning Commission had recommended approval of the rezoning request; recommended conditional approval of the SEP for the nursing home/life care facility; and recommended approval of the SEP for structures in excess of the maximum height requirements.

Mrs. Nicole Pendleton, Director of Community Development, stated that this hearing consists of three requests: a rezoning of 71.28 acres from A-1 to R-2; a SEP for a nursing home/life care facility; and a SEP for structures in excess of the maximum height requirement in R-2 Use District.

Mrs. Pendleton stated that this request is to allow The Glebe retirement facility to have some flexibility in the future development of their property located off of Glebe Road in Daleville. Mrs. Pendleton stated that this facility was originally granted a Use Not Provided For Permit by the County in 1998. She noted that the County no longer has provisions for UNPF permits in the Zoning Ordinance so The Glebe has been operating as a non-conforming use in the Agricultural A-1 Use District. She stated that any changes to the site beyond the layout of the original concept plan are not allowed without approval from the County.

Mrs. Pendleton noted that VBH/The Glebe is requesting these zoning changes and SEPs; however, they intend to keep the same density and the same number of residential units as originally proposed while having more flexibility to change the types of uses as the market/demand changes.

After discussion, Mrs. Pendleton stated that, at the direction of the Planning Commission, staff is recommending some revised conditions for the SEP for the nursing home/life care facility. She noted that a revised extract from the Planning Commission was provided to the Board members earlier today.

Mrs. Pendleton stated that these conditions include provisions that parking lots shall meet or exceed the Zoning Ordinance's Parking and the Landscaping/Buffering/Screening standards; a 50' buffer is required to meet or exceed the Ordinance's Landscaping/Buffering/Screening requirements; the site is required to provide a minimum of 15% tree canopy; all lighting shall meet or exceed the Ordinance's Outdoor Lighting requirements; and the maximum number of units shall not exceed 365 units.

She noted that the landscaping-related conditions were drafted to not tie the applicants to a specific landscaping plan but to still require them to meet the Zoning Ordinance's provisions.

Mrs. Pendleton stated that VBH is not planning any major changes to the site plan which she displayed for those present to view. She noted that VBH has purchased some additional property along Glebe Road for the construction of additional cottages and they plan to expand their independent living units and construct new "villa" units along the eastern property boundary with Ikenberry's Orchards.

Mrs. Pendleton stated that she has discussed these revised SEP conditions with the applicants. She noted that maintaining all possible vegetation in the buffer areas is important to VBH and County staff.

Regarding the SEP to increase the maximum structure height, Mrs. Pendleton stated that the original rezoning request was for an A-1 Use which allows a taller structure than what is allowed in a R-2 Use District. She noted that VBH is requesting this SEP for a maximum height to not exceed 60' so that new structures can be built to a height similar to the other structures on the property.

After discussion, Mrs. Pendleton noted that there was no one present to speak at the Planning Commission meeting regarding these requests nor were any comments received by the Planning Department staff. She noted that the applicants and their engineer (Bobby Wampler with Engineering Concepts) were available virtually to participate in this meeting to answer the Board's questions.

After questioning by Dr. Bailey, Mrs. Pendleton stated that the new units to be constructed along Glebe Road will be required to comply with the R-2 district's setback requirements.

After further questioning by Dr. Bailey, Mrs. Pendleton stated that the maximum building height allowed in the A-1 district is 50', while the maximum height in the R-2 district is 35'. After further discussion, Mrs. Pendleton stated that she and the staff are agreeable with these proposals with the recommended conditions.

After questioning by Mrs. White, Mrs. Pendleton stated that this application consists of three requests—to rezone 71.28 acres from A-1 to R-2, to approve a SEP to allow a nursing home/life care facility in the R-2 district, and to approve a SEP to increase the maximum building height in the property's R-2 zoned district from 35' to 60'.

After questioning by Mrs. White, Mr. Bobby Wampler with Engineering Concepts, Inc., stated that the original rezoning for The Glebe was approved by the Board in the late 1990s with the condition that the buildings could not exceed 50' in height. He noted that today's request is for a SEP in the R-2 district to allow the new structures to match the height of the existing buildings.

After questioning by Mrs. White, Mr. Wampler stated that they are requesting a maximum height of 60' for these new structures.

After further questioning by Mrs. White, Mrs. Pendleton stated that the original proffered conditions for this property would be removed if today's rezoning request is approved. After further questioning by Mrs. White, Mrs. Pendleton stated that any proffers on the rezoning request must be voluntarily submitted by the applicant; however, the Planning staff can propose any recommended conditions for the SEP for the nursing home/life care facility.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that the applicants held a community meeting about their proposal in October 2020.

Mr. Wampler stated that a Zoom meeting was held at the end of October at which several Applewood Estates Subdivision residents and other neighbors of The Glebe participated. He noted that the proposed concept plan, as included in the Board's information for this request, was shared in the community meeting at which only positive comments were received.

Mr. Wampler stated that discussions on buffers, lighting, and recent improvements to The Glebe were held and the neighbors were informed that any new lighting would be in compliance with current County regulations. He noted that The Glebe's owner had subsequent discussions with some of the neighbors after the community meeting to provide further information based on specific requests/comments.

After questioning by Dr. Bailey regarding the height of the buffer along The Glebe's property boundary with Ikenberry's Orchard, Mrs. Pendleton noted that there is no screening requirement in the Zoning Ordinance for single family dwelling lots and this is why staff is proposing the buffering/landscaping conditions along Glebe Road and the boundary with Ikenberry's for the nursing home/life care facility SEP.

After questioning by the Chairman, it was noted that there was no one else present or on the telephone who wished to speak regarding this request. The public hearing was then closed.

There being no further discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request as submitted. 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 21-01-12)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

VIRGINIA BAPTIST HOMES, INC., and THE GLEBE, INC.

In the Amsterdam District to rezone a total of 71.28 acres from the Agricultural A-1 and Residential R-1 Use Districts to the Residential R-2 Use District in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code for the purpose of updating a previously approved concept plan for the proposed use of nursing home/life care facility and involves the following properties: Parcel 88-25A, a 64.672-acre parcel owned by Virginia Baptist Homes, Inc., located in the Agricultural A-1 Use District, at 200 The Glebe Blvd, in Daleville; Parcel 88-32, a 1.49-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 250 Glebe Road (Route 675) in Daleville; Parcel 88-32A, a parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 40 and 50 Draper Place in Daleville, VA; Parcel 88-31, a 2.1-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District located at 200 Glebe Road, Daleville; Parcel 88-30, a 1.305-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District in Daleville, located 0.1 miles southeast of intersection of Glebe Road and Roanoke Road (U. S. Route 220); and Parcel 88-29, a 1-acre parcel owned by The Glebe, Inc., in the Residential R-1 Use District

located at 122 Glebe Road, Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 25A, 32, 32A, 31, 30, and 29.

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Virginia Baptist Homes, Inc., and The Glebe, Inc., for a Special Exceptions Permit for a nursing home/life care facility, in accordance with Section 25-583. Special exceptions of the Botetourt County Code to update a previously approved concept plan for the proposed use of nursing home/life care facility and involves the following properties: Parcel 88-25A, a 64.672-acre parcel owned by Virginia Baptist Homes, Inc., located in the Agricultural A-1 Use District, at 200 The Glebe Blvd, in Daleville; Parcel 88-32, a 1.49-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 250 Glebe Road (Route 675) in Daleville; Parcel 88-32A, a parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 40 and 50 Draper Place in Daleville, VA; Parcel 88-31, a 2.1-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District located at 200 Glebe Road, Daleville; Parcel 88-30, a 1.305-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District in Daleville, located 0.1 miles southeast of intersection of Glebe Road and Roanoke Road (U. S. Route 220); and Parcel 88-29, a 1-acre parcel owned by The Glebe, Inc., in the Residential R-1 Use District located at 122 Glebe Road, Daleville, as identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 25A, 32, 32A, 31, 30, and 29, with the following conditions: (Resolution Number 21-02-13)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

1. With the exception of dwelling units that are served by individual driveways, and in addition to other applicable standards, all parking lots, regardless of the number of spaces provided, shall meet or exceed the standards of Division 3. Parking, Section 25-472. General Standards pertaining to access, surfacing, and additional requirements.
2. In addition to other applicable standards, a 50 foot setback will be maintained along the entire perimeter of the property with the exception of the property fronting along Glebe Road, and existing landscaping and trees will remain within this setback.
3. In addition to other applicable standards, as shown in red and labeled "proposed landscape buffer area" on "The Glebe Rezoning Concept Plan" prepared by Engineering Concepts, Inc., and dated 12/18/20, a landscaping buffer shall be required and improved to meet or exceed the standards of Division 4. Landscaping, Buffering and Screening, Section 25-484. Yard landscaping and screening requirements. The portion of buffer as shown along the northeast property line shall be required to be installed prior to the issuance of a certificate of occupancy for any expansion of the structure labeled "Proposed Independent Living Expansion" or the construction of any of the structures in the area of the structures labeled as "Proposed Senior Living Villas" on the concept plan and shall be identified on the required site plans submitted as part of the project. The remaining buffer shall be installed prior to the issuance of a certificate of occupancy for any expansion of any structures within 150 feet of the required buffer and shall be shown on the required site plan for the use.
4. In addition to other applicable standards, parking lots shall meet or exceed the landscaping standards of Division 4. Landscaping, Buffering and Screening, Section 25-485. Parking area landscaping and screening requirements,

(b) Interior parking lot landscaping, and (c) Peripheral parking lot landscaping regardless of the number of parking spaces provided.

5. In addition to other applicable standards, the site shall provide a minimum of a fifteen (15) percent tree canopy.
6. In addition to other applicable standards for outdoor lighting, all lighting shall meet or exceed the standards of Division 5. Outdoor Lighting, Section 25-504. Lighting Standards, (b) Special Standards.
7. The maximum number of “units” shall not exceed 365 units. For the purposes of this specific SEP, Virginia Baptist, Inc, and The Glebe, Inc., units shall be defined as: Cottages: One (1) unit; Apartments: One (1) unit; Assisted living apartments: One-half (½) unit; Health care/skilled nursing/rehabilitation beds: One-third (1/3) units.

On motion by Mr. Clinton, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Virginia Baptist Homes, Inc., and The Glebe, Inc., for a Special Exceptions Permit for structures with a maximum building height to 60 feet which is in excess of the maximum height, in accordance with Section 25-583. Special exceptions of the Botetourt County Code for the proposed use of nursing home/life care facility involving the following properties: Parcel 88-25A, a 64.672-acre parcel owned by Virginia Baptist Homes, Inc., located in the Agricultural A-1 Use District, at 200 The Glebe Blvd, in Daleville; Parcel 88-32, a 1.49-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 250 Glebe Road (Route 675) in Daleville; Parcel 88-32A, a parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District, located at 40 and 50 Draper Place in Daleville, VA; Parcel 88-31, a 2.1-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District located at 200 Glebe Road, Daleville; Parcel 88-30, a 1.305-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential R-1 Use District in Daleville, located 0.1 miles southeast of intersection of Glebe Road and Roanoke Road (U. S. Route 220); and Parcel 88-29, a 1-acre parcel owned by The Glebe, Inc., in the Residential R-1 Use District located at 122 Glebe Road, Daleville, as identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 25A, 32, 32A, 31, 30, and 29. (Resolution Number 21-02-14)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Blue Ridge District from Jennifer A. Walker to rezone, with possible proffered conditions, 10.83 acres from the Residential R-1 Use District to the Agricultural A-1 Use District for agricultural uses in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code, located at 1706 Blue Ridge Springs Road (Route 616) in Blue Ridge and identified on the Real Property Identification Maps of Botetourt County as Section 103, Parcel 93.

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

Mrs. Nicole Pendleton, Director of Community Development, stated that the applicant is requesting to rezone this property to keep horses and conduct farming activities. She noted that adjacent parcels are zoned Agricultural and Agricultural-Rural Residential Use Districts.

Mrs. Pendleton noted that the Planning Department staff received a couple of citizen calls with questions about this proposal. She noted that these citizens did not want hogs/pigs to be allowed on the property.

After questioning by Dr. Bailey, Mrs. Pendleton stated that the only concerns mentioned by the neighbors were that hogs/pigs not be allowed.

Mrs. Pendleton noted that Ms. Walker was present at the meeting to answer any questions.

After questioning by Dr. Scothorn, Mrs. Walker stated that she would like to plant sunflowers and/or wildflowers and keep horses on this property.

After questioning by Dr. Scothorn, it was noted that the Board members had no further questions regarding this request.

After questioning, it was noted that there was no one else present to speak in person or on the telephone regarding this request. The public hearing was then closed.

There being no further discussion, on motion by Mrs. White, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following condition. 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 21-01-15)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

JENNIFER A. WALKER

In the Blue Ridge District to rezone 10.83 acres from the Residential R-1 Use District to the Agricultural A-1 Use District for agricultural uses in accordance with Section 25-581. Zoning map amendment—owner initiated of the Botetourt County Code located at 1706 Blue Ridge Springs Road (Route 616) in Blue Ridge, as identified on the Real Property Identification Maps of Botetourt County as Section 103, Parcel 93.

1. A hog or hogs will not be allowed for any reason on the property if the Agricultural A-1 rezoning is approved.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the meeting was adjourned at 6:25 P. M. (Resolution Number 21-02-16)

AYES: Mr. Clinton, Mrs. White, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None