

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, February 27, 2018, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:45 P. M.

PRESENT: Members: Mr. L. W. Leffel, Jr., Chairman  
Dr. Donald M. Scothorn, Vice-Chairman  
Mr. Steve Clinton  
Mr. I Ray Sloan  
Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:  
Mr. David Moorman, Deputy County Administrator  
Mr. Michael W. S. Lockaby, County Attorney

The Chairman called the meeting to order at 12:52 P. M.

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board went into Closed Session to discuss personnel matters related to an employee of the Administration Department; the acquisition of real property for public uses or the disposition of publicly held real property where discussion in open session would adversely affect the bargaining position of the County relating to a property in the Valley District; discussion concerning a prospective business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the County; consultation with legal counsel pertaining to actual or probable litigation relating to the AquaVirginia matter; and consultation with legal counsel regarding specific legal matters relating to two public contracts as per Section 2.2-3711 (A) (1), (3), (5), (7) and (8) of the Code of Virginia of 1950, as amended. (Resolution Number 18-02-03)

AYES: Mr. Sloan, Mr. Leffel, Mr. Clinton, Dr. Scothorn, Mr. Martin

NAYS: None

ABSENT: None ABSTAINING: None

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

On motion by Mr. Leffel, 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 18-02-04)

AYES: Mr. Leffel, Mr. Sloan, Mr. Clinton, Mr. Martin, 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.

Mr. Leffel welcomed everyone to the meeting.

Mr. Leffel then commented on the family and community atmosphere in Botetourt County. He noted that Ms. Paige Weddle of Troutville died suddenly last week. Mr. Leffel stated that Ms. Weddle was his daughter's sister-in-law.

Mr. Leffel stated that he would like to thank the County's Fire and EMS and Sheriff's Department personnel for their response to this situation and during the funeral procession. He noted that there were Troutville fire and EMS personnel along the processional route through

Troutville where the citizens lined the streets to pay their respects. He noted that this kindness and consideration “says so much for the family and for the community.”

Mr. Leffel then asked for a moment of silence.

Dr. Scothorn then led the group in reciting the pledge of allegiance.

Battalion Chief Jason Ferguson then recognized two recent promotions in the County’s Fire and EMS Department. He noted that earlier this year the Department implementing a hiring process for a new Battalion Chief of Operations and a Lieutenant Station Officer.

Chief Ferguson stated that, as this was an internal interview process, the Department brought in fire and EMS personnel from other areas of the State to “vet the process on the front end” to ensure that there was no bias or favoritism in this interview process.

Chief Ferguson stated that the interviews have been completed and he would like to announce that Mrs. Camille Black has been promoted to Battalion Chief of Operations. He noted that Mrs. Black has worked in the County’s Fire and EMS Department for 12 years, she is a nationally-registered paramedic, is a Virginia Department of Fire Program’s certified Officer 3, and is an EMS Education Coordinator. Chief Ferguson stated that she also has a Bachelor’s degree in Emergency Services Management from Jefferson College of Health Sciences in Roanoke.

Chief Ferguson stated that Adam Smith has also been promoted to Lieutenant Station Officer. He noted that Lieutenant Smith has certifications in fire investigations and community risk reduction and has worked with the County’s Fire and EMS Department for 8 years.

He noted that both individuals started as volunteers in the County’s fire and rescue system and he wanted to congratulate them publicly for these promotions.

The Board congratulated Battalion Chief Black and Lieutenant Smith for their promotions.

After questioning by Mr. Leffel, it was noted that there was no one present to speak during the public comment period.

Mr. Leffel then stated that he would like to remove Consent Agenda Item #5 (Consideration of resolution opposing Senate Bill 504 and House Bill 1276 regarding increased truck weights on interstates.) from consideration by the Board. He noted that Board action on this matter is no longer necessary due to recent measures by the Virginia General Assembly on this proposed legislation.

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, consideration of a resolution opposing Senate Bill 504 and House Bill 1276 regarding increased truck weights on interstates was removed from the agenda as action by the Board on this matter is no longer necessary. (Resolution Number 18-02-05)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, on motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 18-02-06)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on January 23, 2018;

Approval of minutes of the special meeting held on February 5, 2018;

Approval of proclamation recognizing March as Multiple Sclerosis Education and Awareness Month;

Approval of award of proposal for audit services for Fiscal Years 2018, 2019, and 2020 to Robinson, Farmer, Cox Associates and authorization for the County Administrator to enter into negotiations with the company pursuant to RFP# 18-227112, and, upon successful negotiations and upon review by legal counsel, enter into and execute a contract for audit services, with the option for two additional years thereafter; and

Approval of a 15' easement for Lumos in Botetourt Center at Greenfield and authorization for the County Administrator to sign the easement and right-of-way agreement on the Board's behalf.

Consideration was then held on approval of additional appropriations.

Mr. Tony Zerrilla, Director of Finance, stated that there were 11 pass through and one regular appropriation for the Board's consideration this month. He noted that these appropriations were for receipt of expenditure reimbursements, insurance proceeds, miscellaneous receipts, State funds, donations, and contributions.

Mr. Zerrilla further noted that the \$80,000 regular appropriation is to fund the remaining FY 18 costs for the Sheriff's Mobile Data Terminal and in-car video project. He stated that, in December 2017, the Board approved a \$475,479 transfer from the Sheriff's Capital Outlay account to the Capital Improvement Program for this project.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following additional appropriations: (Resolution Number 18-02-07)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Additional appropriation in the amount of \$937.54 to the following Sheriff's Department accounts: \$155.47 to Uniforms, 100-4031200-31200-6011; \$726.65 to Wages – Overtime, 100-4031200-31200-1200; and \$55.42 to FICA, 100-4031200-31200-2100. The first item represents contract payments while the latter two items are for cost reimbursements for traffic control.

Additional appropriation in the amount of \$636.13 to Sheriff's Department – Vehicle Supplies, 100-4031200-31200-6009. These are reimbursements from the Commonwealth of Virginia for mileage costs.

Additional appropriation in the amount of \$589.42 to the following Sheriff's Department accounts: \$402.32 to Vehicle Supplies, 100-4031200-31200-6009; and \$187.10 to Subsistence & Lodging, 100-4031200-31200-5530. These are extradition costs reimbursed by the Commonwealth of Virginia.

Additional appropriation in the amount of \$1,587.29 to Sheriff's Department – Repairs & Maintenance – Equipment, 100-4031200-31200-3311. These are insurance proceeds relating to vehicle repairs.

Additional appropriation in the amount of \$763.49 to Correction & Detention – Professional Services, 100-4033100-33100-3100. These are cost reimbursements received relating to Craig County inmates’ medical care.

Additional appropriation in the amount of \$157.18 to the following Correction & Detention accounts: \$21.21 to Food Supplies and Services, 100-4033100-33100-6002; and 135.97 to Uniforms, 100-4033100-33100-6011. The former is for miscellaneous receipts and the latter is for contract payments.

Additional appropriation in the amount of \$24,090.00 to Emergency Communications – Wireless E911 Communications, 100-4035600-35600-5231. These are State grant funds used to pay for a GIS data management project.

Additional appropriation in the amount of \$5,825.00 to Recreation & Facilities – Repair & Maintenance – Equipment, 100-4071100-71100-3311. These are funds received from the Bank of Botetourt for a scoreboard for Read Mountain Middle School.

Additional appropriation in the amount of \$4,500 to the following accounts: \$2,250 to Standing Room Only, 100-4072000-72241-3800; and \$2,250 to Attic Productions, 100-4072000-72242-3800. These are funds received from a State Challenge Grant which will be disbursed to these organizations.

Additional appropriation in the amount of \$150.00 to Library – Books and Subscriptions, 100-4073100-73100-6012. These are funds donated by various patrons.

Additional appropriation in the amount of \$50.00 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. These are contributions made in memory of David Stevens.

Additional appropriation in the amount of \$80,000.00 to CIP – Sheriff Mobile Safety Plan, 100-4094000-31200-8005-205. This appropriation will serve to fund FY18 remaining costs for the Mobile Data Terminals and In-Car Video project. To date, funding for this project has been provided by reappropriated funds from FY17 and E-Summons funds.

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved an additional appropriation in an amount not to exceed \$5,000 from the Undesignated Fund Balance to the Economic Development Authority to conduct a concept study for an agriculture development workforce center. (Resolution Number 18-02-08)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of Accounts Payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month’s accounts payable totaled \$1,069,472.50. He noted that this month’s large expenditures included: \$62,442 to East Coast Emergency Vehicles, LLC, for mobile data terminals for the Sheriff’s Department; \$36,462 to Earth Movers, Inc., for the Route 606/11 intersection project; and \$24,090 to King-Moore, Inc., for GIS consulting work.

Mr. Zerrilla also stated that the Board is being requested to ratify a \$300,000 payment that was written earlier this month to the Economic Development Authority for transfer to Eldor Corporation for an economic development incentive payment; a \$2,975.60 appropriation to the E-Summons Fund for this month’s disbursement for the Sheriff’s mobile data terminal project; and a \$18,210 appropriation to the E-Summons Fund as the first disbursement made in a previous month for the Sheriff’s mobile data terminal project.

After questioning by Mr. Martin, Mr. Zerrilla stated that this month's incentive payment to Eldor Corporation was for the company reaching the milestone of having the building's footings poured and approved by the Building Official. Mr. Zerrilla stated that the County has one additional payment to Eldor when the company meets the employment figures contained in the performance agreement.

After questioning by Dr. Scothorn, Sheriff Ronnie Sprinkle stated that he believes that there are approximately 40 Sheriff's Department vehicles that will be fitted out with mobile data terminals.

Mr. Zerrilla noted that the FY 18 budget included funding for 45 Sheriff's vehicles to receive these computer terminals.

There being no further discussion, on motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the Accounts Payable list and ratified the Short Accounts Payable List, including ratification of a \$300,000 payment to the Economic Development Authority for transfer to Eldor Corporation for an economic development incentive payment, a \$2,975.60 appropriation to the E-Summons Fund for this month's disbursement for the Sheriff's mobile data terminal project, and ratified an \$18,210 appropriation to the E-Summons Fund as the first disbursement made in a previous month for the Sheriff's mobile data terminal project. (Resolution Number 18-02-09)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval to procure two fire apparatus. Battalion Chief Jason Ferguson stated that this purchase has been discussed since the fall of 2016. He noted that \$200,000 was approved in the FY 18 budget for debt service for this \$1.2 million financing project. He further noted that since November 2017 the Fire and EMS Department's staff has been working with the volunteer units' leadership on development of specifications for these vehicles as well as establishment of an apparatus replacement program.

Chief Ferguson stated that, as a result of these discussions, three trucks were identified for replacement in FY 18: Blue Ridge Volunteer Fire Department (Engine 1), Eagle Rock Volunteer Rescue Squad (Truck 5), and Buchanan Volunteer Fire Department (Squad 3). He noted that it was determined that all three vehicles could not be purchased with the \$1.2 million in available funding so the Buchanan Volunteer Fire Department agreed to delay purchase of a new squad truck at this time.

Chief Ferguson then reviewed the steps being requested from the Board for staff to proceed with this process: authorize staff to bid, award, and the County Administrator to execute an agreement for financing not to exceed \$1,200,000 for the purchase of fire apparatus with the financing secured by performance bonds in amounts equal to 100% of the contract pricing for apparatus posted by Atlantic Emergency Solutions and by Blue Ridge Rescue Supplies, upon the review and approval of the County Attorney; authorize the County Administrator to enter into an agreement with Atlantic Emergency Solutions, the Pierce authorized dealership in Virginia and Blue Ridge Rescue Suppliers, the E-ONE authorized dealership in Virginia, for the prepayment of the fire trucks being purchased for Blue Ridge and Eagle Rock in order to receive discounts of \$60,965, upon the review and approval of the County Attorney; authorize the County Administrator to execute contracts with Atlantic Emergency Solutions, Pierce Fire Apparatus,

and Blue Ridge Rescue Supplies, Emergency One, Inc., for the procurement of two fire apparatus, both through the Houston Galveston Area Contract, subject to review by the County Attorney; and authorize a regular appropriation not to exceed \$640,000 from the Undesignated General Fund Balance to provide bridge funding, if necessary, for the costs associated with the purchase of said fire apparatus, pending closing on financing, the proceeds of which will be utilized to reimburse the General Fund Balance any bridge funding actually expended. If needed, another regular appropriation for the amount needed to bridge funding specific to the Blue Ridge truck will be brought forward for approval at the March board meeting.

Mr. Martin stated that he would like to commend the leadership of the Fire and EMS Department and the volunteer agencies for working together as a team to overcome several obstacles to provide a final resolution to this situation. Mr. Martin noted that “his hat is off to them for working together.”

Mr. Sloan noted that, when he came to the County in 1981 and became involved in volunteer fire and rescue services, they were told to just purchase a truck. He noted that the purchasing of new apparatus for fire and rescue services has gone “far beyond” a simple purchase. Mr. Sloan noted that a basic fire/rescue vehicle can cost \$500,000 today. He stated that the County’s citizens rely on the paid staff and volunteer units and it makes him proud when both groups cooperate in developing these apparatus proposals.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board authorized staff to bid, award, and the County Administrator to execute an agreement for financing not to exceed \$1,200,000 for the purchase of fire apparatus with the financing secured by performance bonds in amounts equal to 100% of the contract pricing for apparatus posted by Atlantic Emergency Solutions and by Blue Ridge Rescue Supplies, upon the review and approval of the County Attorney; authorized the County Administrator to enter into an agreement with Atlantic Emergency Solutions, the Pierce authorized dealership in Virginia and Blue Ridge Rescue Suppliers, the E-ONE authorized dealership in Virginia, for the prepayment of the fire trucks being purchased for Blue Ridge and Eagle Rock in order to receive discounts of \$60,965, upon the review and approval of the County Attorney; authorized the County Administrator to execute contracts with Atlantic Emergency Solutions, Pierce Fire Apparatus, and Blue Ridge Rescue Supplies, Emergency One, Inc., for the procurement of two fire apparatus, both through the Houston Galveston Area Contract, subject to review by the County Attorney; and authorized a regular appropriation not to exceed \$640,000 from the Undesignated General Fund Balance to provide bridge funding, if necessary, for the costs associated with the purchase of said fire apparatus, pending closing on financing, the proceeds of which will be utilized to reimburse the General Fund Balance any bridge funding actually expended. If needed, another regular appropriation for the amount needed to bridge funding specific to the Blue Ridge truck will be brought forward for approval at the March Board meeting. (Resolution Number 18-02-10)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Clinton questioned Chief Ferguson about the potential for “ripple effects” from these new vehicle purchases. Chief Ferguson noted that the Blue Ridge truck which will be coming off-line (Engine 1) has been very well maintained and will be used as a reserve vehicle for the County if a vehicle is out of service for repairs. Chief Ferguson stated that Engine 701 will be

retired from service and will eventually be sold. He noted that these sale proceeds will hopefully be allocated to a reserve fund for future truck/vehicle purchases.

He stated that the old Eagle Rock truck has a two-person cab and will be sold and these revenues also placed in the capital reserve fund, once established. Chief Ferguson stated that staff is aware that the Department will not be able to come before the Board each budget year to request purchase of multiple vehicles so a forthcoming request will be to establish a capital reserve fund for these types of future apparatus purchases.

After questioning by Mr. Clinton regarding storage of these old vehicles, Chief Ferguson stated that there will be 2 trucks leaving the County's fire/EMS system and from a space perspective it will be status quo. After further questioning by Mr. Clinton, Chief Ferguson stated that these two retired vehicles will be offered for sale on the open market. Chief Ferguson further noted that there are companies which specialize in the sale of fire apparatus and he and the Purchasing Department will explore the most appropriate options to obtain the highest yield.

Dr. Scothorn noted that the Troutville Fire Department purchased a used ladder truck and worked with County staff to implement this purchase. He applauded Troutville and the County for considering the purchase of used apparatus and hopes staff will consider this avenue for other vehicle needs.

Mr. Leffel stated that it is satisfying to see the County's fire and EMS agencies work together in this matter. He noted that the County has "reached another plateau" with personnel cooperation and this is a great situation.

After questioning by Mr. Sloan, Chief Ferguson stated that the to-be-retired Blue Ridge truck is a 1998 model, and the Eagle Rock truck is a 2000 model.

The Board thanked Chief Ferguson for this information.

Mr. Kevin Hamm, Maintenance Operations Manager, and Mr. Brian Blevins, Assistant Resident Engineer, with the Virginia Department of Transportation, were then present to speak to the Board.

Mr. Hamm noted that construction is "ramping up" for VDoT's summer schedule. He noted that roadway surface treatments should begin in April or May and latex sealing on Route 220 north of Fincastle should begin in the next few weeks.

Mr. Hamm stated that the Exit 150 project is still on schedule and the contractor is currently removing the bridge across the Exit 150B off-ramp which will necessitate night-time road closures of Exit 150B this week. Regarding upcoming bridge projects, Mr. Hamm stated that a portion of Route 817 (Old Rail Road) in Oriskany will be reduced to one lane for about 2 months beginning in early April for a culvert replacement project. He further stated that bridge painting work is scheduled on the I-81 bridge across Looney Mill Creek and Route 606 which will cause night-time lane closures on I-81 and possibly on Route 606 at times.

After discussion, Mr. Hamm stated that there were 3 project reviews and 8 land use permits issued last month. He noted that, regarding traffic engineering study requests, work has been completed on the Opticom device in front of the Read Mountain Fire Station. He noted that this device allows fire/EMS personnel to have control over the traffic signal when responding to emergency calls. Mr. Hamm noted that pavement striping work will be completed on this project when weather permits.

Regarding the Brugh's Mill Road safety study for consideration of signage improvements, etc., to accommodate large truck traffic, Mr. Hamm stated that this study should be com-

pleted in March. He noted that Farmer's Road from Brugh's Mill Road to Route 606 (Blue Ridge Turnpike) is also being reviewed, in relation to the through-truck restriction for Blue Ridge Turnpike. He further noted that some additional signage to this effect will be added along Route 606 and in the Town of Fincastle.

Mr. Hamm noted that a request for guardrail along Mountain Pass Road was submitted to the Traffic Engineering Department last fall. He noted that this study has been delayed as there are new VDoT guardrail standards which necessitate this request being forwarded to their Central Office for review/approval. Regarding the Route 220 Corridor Study, Mr. Hamm stated that their consultant is analyzing the Route 220/International Parkway intersection for a potential SmartScale funding application project by the County.

After discussion, Mr. Hamm stated that their headquarters staff are still busy. Mr. Hamm further stated that he would provide the Board with this summer's paving schedule at their March meeting. He noted that, with the on and off rainy weather, it is difficult for VDoT personnel to patch large areas of pavement; however, they are able to repair some potholes.

Mr. Clinton then thanked Mr. Hamm for his rapid response to a citizen's call regarding needed pothole repairs on Shawnee Trail. Mr. Clinton then stated that he anticipates that traffic cut-through issues on Azalea Road will increase with the Board's approval last month of the Sheetz project at the 779/220 intersection.

Mr. Clinton then stated that a portion of Stevens Road (Route 712) is paved and a portion is gravel and he would like to see what can be done to have the gravel road section placed on the paving schedule.

Mr. Hamm stated that, in April or May, VDoT will schedule a work session with the Board on updating the Secondary System Six Year Plan for the next fiscal year, which will include discussion on prioritizing the next gravel road projects for paving. He noted that the County currently has three gravel roads on the list—McFall's Road, White Church Road, and Stone Coal Road. Mr. Hamm stated that discussions have recently been held on having Stevens Road, Price's Bluff Road, and Clyde's Run paved and they can be included in the work session's discussion.

After questioning by Mr. Clinton on the Route 220 Corridor Study, Mr. Hamm stated that the Route 220/779 intersection is included in this study.

Mr. Blevins stated that he has discussed with County staff the potential for some SmartScale project applications based on the Route 220 corridor study's recommendations. He noted that the deadline for submittal of these applications is August 1. He noted that the study's consultant has been directed to focus on the Route 220/International Parkway intersection. Mr. Blevins noted that this will be an in-depth study that can be used for documentation on the SmartScale application.

Mr. Sloan thanked Mr. Hamm for checking into his concern at the last meeting regarding the wall on the Route 11 bridge project that appeared to be jutting into the traffic lane.

Dr. Scothorn thanked Mr. Hamm for his quick response on the President's Day holiday on a subdivision issue by one of his constituents.

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

Consideration was then held of the purchase of new tax software. Mr. David Moorman, Deputy County Administrator, thanked the evaluation team, consisting of the Commissioner of

Revenue, Treasurer, Technology Services staff, Finance Director, and himself, who worked on this project.

He noted that several years ago the Board authorized a software upgrade project as the County's current software for payroll, tax collection, etc., was installed in 1999. Mr. Moorman stated that, as of this time, software for the finance, community development, payroll and human resources departments have been upgraded. He noted that implementation of these upgrades took 9 months which was a record for the software provider.

Mr. Moorman stated that the County's tax software is approximately 19 years old. He noted that the staff team investigated all available software systems that are currently being used by other localities in the State and identified 3 primary vendors: Tyler Technologies, PCI, and EGT Software, the County's current vendor. He further noted that EGT was deemed non-responsive to the proposal request and staff interviews were conducted, references checked, and site visits made with Tyler Technologies and PCI.

Mr. Moorman stated that, after further discussion, the team ranked the proposals and is recommending that a contract be awarded to Tyler Technologies. He noted that this firm provides tax software to 29 localities in Virginia, they have a comprehensive and inclusive tax software system, and their ongoing product costs are less than the other vendors. Mr. Moorman stated that the total proposed contract amount is \$411,871 plus travel expenses. He further stated that \$425,000 was included in the FY 18 budget for this project.

After discussion, Mr. Moorman stated that staff is recommending that the Board award a contract to Tyler Technologies consistent with their January 2018 tax software proposal in an amount not to exceed \$411,871 plus actual travel expenses. He noted that it is estimated that implementation of this new system will take 18 months.

After questioning by Mr. Leffel, Mr. Bill Arney, County Treasurer, stated that Mr. Moorman explained this tax software proposal process very well. Mr. Arney stated that, for him, a choice between the two vendors was based on cost as both of the vendors' products would meet the County's tax software needs. Mr. Arney noted that the Tyler's software is a browser-based system with a customer portal. Mr. Arney stated that he concurs with the team's recommendation.

Mr. Rodney Spickard, Commissioner of Revenue, thanked the team for their assistance throughout this process. Mr. Spickard stated that he and the Treasurer have been researching tax software options for approximately 6 years. He noted that conversion from the old to the new system will be a major project for both offices and his staff will receive training on the new software.

After discussion, Mr. Spickard stated that the current tax software vendor (EGT) could no longer provide technology support for their 1999 software program. Mr. Spickard stated that he is pleased with Tyler's proposal.

After questioning by Dr. Scothorn, Mr. Spickard stated that it usually takes approximately 2 years to convert the old tax software data to the new system; however, Tyler has indicated that they can convert the data in approximately 18 months. Mr. Spickard stated that his and the Treasurer's offices will be preparing over the next few months to mail over 60,000 County tax tickets in September so implementation of the new system could not begin until later this year. Mr. Spickard stated that it is anticipated that the new software will be utilized in 2019.

Mr. Arney stated that a lot of the data conversion work will be done without the need for County staff time but training sessions for County staff are scheduled to begin in early 2019.

After discussion by Mr. Martin, Mr. Spickard stated that Tyler Technologies is familiar with the tax laws in the State of Virginia as they currently work with 29 other localities. He noted that, if there is a tax law change, either locally or at the State level, Tyler will implement the appropriate software updates at no charge.

After questioning by Mr. Clinton, Mr. Moorman stated that there are yearly maintenance costs that the County will have to pay; however, the first year's maintenance fees are included in the \$411,871 bid amount.

Mr. Tony Zerrilla, Director of Finance, stated that there was an \$18,000 yearly maintenance fee differential between the two vendors' proposals.

Mr. Spickard stated that Tyler and PCI are the two main vendors of tax software in the State at this time.

After questioning by Mr. Clinton regarding the availability of software packages to handle all of the County's needs, Mr. Moorman stated that some vendors do offer a financial package which includes software for human resources, community development, etc.; however, the County did not want to purchase a product that was not currently being used by other localities in the State. He noted that Tyler's software can integrate with the County's existing financial software.

Mr. Spickard noted that the School Board also uses Tyler Technologies' software for their payroll, human resources, etc., needs.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board authorized the award of a contract in an amount not to exceed \$411,871 plus actual travel expenses to Tyler Technologies for tax solution software and services pursuant to its proposal #2017-27759 dated January 26, 2018, and authorized the County Administrator to execute contract documents upon the review and approval of the County Attorney. (Resolution Number 18-02-11)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Discussion was then held on the future organization and operations of the Greenfield Historic Preservation Area. Mr. Clinton stated that the Chairman and County Administrator had previously requested that he "take a look" at where the Greenfield Historic Preservation Advisory Committee had left off in their report to the Board of Supervisors last fall and suggest the next steps in the use and future development of this property.

Mr. Clinton stated that the Greenfield historic preservation area can be used as an early American interpretative center as the site has the potential to be more than simply a historical area—it can be expanded beyond this use. Mr. Clinton stated that his draft report's purposes include governance, action, priorities, and commitment.

Mr. Clinton noted that the Board and citizens need to understand the site's huge potential for historic presentation and economic development. He stated that his draft progress report is meant to be transitional between the Hill Studio concept plan and what the next steps should be to preserve and develop this site. Mr. Clinton stated that his report "tries to be realistic in terms of challenges and costs" for this proposal. Mr. Clinton further stated that he believes that there is a sense of urgency in this matter as the historic structures are deteriorating and need to be stabilized as soon as possible.

He noted that the governance portion of the report includes planning, monitoring, and funding the site's opportunities. Mr. Clinton noted that the Supervisors own the historical buildings and own the decisions that need to be made, including initial and annual funding allocations associated with this site. He also recommended that the Board create a Greenfield Historic Preservation Advisory Council as a successor to last year's advisory group consisting of 11 – 13 members from the Botetourt Historical Society, the Daughters of the American Revolution, the Countywide League, Friends of Greenfield Preston Plantation, etc. Mr. Clinton noted that this large group is necessary to have a good base for advocacy and fundraising efforts.

Regarding the priorities and actions portion of the report, Mr. Clinton stated that there are three historic structures on the preservation site—slave quarters, summer kitchen, and the farm manager's house. He noted that the latter structure would be a good location for a welcome center. Mr. Clinton stated that the first action needed is to restore the buildings and make them attractive; then no later than October 2018, the advisory council should be up and running; and then efforts should be implemented to secure and protect the buildings. Mr. Clinton stated that he does not believe that there is consensus on what should be done on the preservation area site and suggests that a community planning session be held to obtain input and ideas.

After discussion, Mr. Clinton stated that a structural evaluation needs to be conducted on the three structures; cost estimates obtained to restore/preserve the buildings; development of promotional materials for the site; and issuance of a request for proposals for firms to create a three year development plan. He noted that by March 2019 the firm awarded the RFP for the development plan should have their work completed and the Supervisors should include maintenance and capital outlay funding for the project through 2023 in the FY 20 budget development process.

Mr. Clinton stated that by March 2023 the buildings should be restored and trails and landscaping, signage, etc., should be complete. He noted that beyond 2023 the proposal is to connect the different aspects of the Preston family between their Botetourt and Montgomery County (Smithfield Plantation) properties by developing an historic/scenic drive from the County to Smithfield Plantation.

Regarding commitment, Mr. Clinton noted that Dr. David Mankin, a former Supervisors member, said that "if we are going to do it, we are going to do it right" in reference to the Greenfield property development. Mr. Clinton noted that Dr. Mankin originally opposed the County developing the Greenfield property into an industrial/multi-use park but eventually became a supporter.

Mr. Clinton stated that we need to "adopt an attitude to stay with it." He noted that we do not want to lose the momentum gained over the past year regarding preserving these three structures; however, we need to be realistic with regard to cost.

Mr. Clinton stated that there is also a vulnerability issue with this site and referenced the 1742 Beverly Mill that is located along a major highway outside of Washington, DC, which was destroyed by an arsonist. He noted that groups are now working to restore this structure. Mr. Clinton stated that, in this regard, the County needs to protect the Greenfield historic structures from vandalism and suggested that chain link fencing and signage be placed around the buildings as needed.

Mr. Clinton stated that this proposal for the preservation of history and the recognition that these buildings are rare. Mr. Clinton questioned "is this just another historical development or is it something special" and stated that he believes it is the latter as these structures are

uniquely Botetourt. He noted that the County has to share the Appalachian Trail, Blue Ridge Parkway, and the James River with other jurisdictions; however these buildings are ours and this is an opportunity to give Botetourt a unique identity.

After discussion, Mr. Clinton asked that the Board of Supervisors give this proposal the benefit of the doubt and requested action by the Board's March regular meeting. Mr. Clinton stated that, at a minimum, he would ask the Board today if this proposal is "in the right direction" or does it need to go in a different direction.

Mr. Leffel thanked Mr. Clinton for this report. He questioned what does Mr. Clinton want to see from the Board, County staff, and the public between now and March/April in this regard.

Mr. Clinton stated that he would like to receive "conceptual verification" as to whether these proposals are, in general, "going in the right direction." He stated that these proposals differ from what the Board previously thought were the next steps for the historical preservation area. Mr. Clinton stated that the Board had previously allocated \$50,000 per year in matching funds to make improvements at this site; however, this will not work with his proposals. He noted that there has to be "seed money" allocated to begin work on the site to show that something is happening in order for grant and volunteer monies to be obtained. Mr. Clinton stated that County funds will have to be used to have the historical preservation and interpretation work done.

Dr. Scothorn noted that the YMCA had a significant number of individuals who influenced various companies and citizens to obtain donations for construction of a new facility at Daleville Town Center. Dr. Scothorn stated that he assumes that this is the reasoning as to why Mr. Clinton is proposing a committee of 11 – 13 members.

After further discussion by Dr. Scothorn, Mr. Clinton stated that he does want to see the community "take ownership" of the Greenfield historical preservation project by becoming aware of the site's significance. Mr. Clinton further stated that seed money has to start somewhere but private investment is still needed. He noted that this is a partnership; however, there has to be enough of an infusion of funds from the County to get the project started.

Mr. Clinton stated that, on the YMCA project, there were two benefactors—the County and Fralin and Waldron. He noted that without the availability of major funding in the beginning of this preservation project the public/private sector donations will be minimal. Mr. Clinton noted that the funding "has to start with a commitment from the County." He stated that these are County buildings and he believes that this project "will get people off of the highway" to visit the County's other tourist attractions.

Mr. Martin stated that he is not sure that he agrees with the County being the original, sustaining force for this project before other individuals/companies are asked for donations. Mr. Martin stated that cost estimates are needed for these various report proposals and an individual with grant-writing experience may be needed as well.

Mr. Clinton stated that he meant that the County should be the "initial" not "a sustaining" funding source for this project. He agreed that a realistic cost estimate is needed for this project and believes that the farm manager's house should be restored first.

Mr. Sloan then questioned if there were any standing members of the Greenfield Preservation Advisory Committee that helped Mr. Clinton put this presentation together and if there is anyone who would stand with Mr. Clinton on this project.

Mr. Clinton stated that, if the Board feels that this is the right direction for the preservation area, they are ready to go forward with the creation/appointment of the new advisory committee in July.

After questioning by Dr. Scothorn, Mr. Clinton stated that County staff will have a significant role in this project including, for example, drafting the RFP for the three-year development plan and obtaining cost estimates for the restoration work. After further questioning, Mr. Clinton stated that the County staff could install the chain link fencing around the structures as well.

Mr. Leffel stated that it would be interesting to have some parameters in order that the Board could say that there is a starting point to this process. He noted that first steps are needed to develop this organizational process. Mr. Leffel stated that it is difficult for the County to make a commitment when there are no specific ideas as to what or how long the proposal will take.

Mr. Clinton stated that he agrees that obtaining a cost estimate is the next step; however, this cannot be done “on the back of an envelope.” He further stated that “expert review will take expert money.”

After questioning by Mr. Sloan, Mr. Clinton stated that he did not say that there would not be any outside money coming in on this project. He stated that parameters are needed and questions need to be answered before the project can move forward.

Mr. Leffel stated that to date the County has spent over \$458,000 on the historical buildings including \$300,000 to relocate them to the front of the property.

Mr. Clinton stated that the buildings were moved and are now in place on the preservation area and “it is a new era.”

There being no further questions, the Board thanked Mr. Clinton for this presentation.

Mr. Clinton stated that fundamentally we are driving on with this project.

Mr. Leffel stated that he is not ready to say that the County is going to proceed with this project as the Board does not know where we are. He noted that more community involvement is needed as well as cost estimates for this work.

Mr. Martin suggested that this matter be brought back before the Board for discussion at their next meeting.

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:45 P. M.

Discussion was then held on proposal to illuminate local government meetings. Mr. Clinton stated that he has had a unique opportunity—he served on the Board of Supervisors for a number of years, then chose to not run for re-election, and was re-elected to another term in 2017. Mr. Clinton stated that, during his time off of the Board, he was able to think about how things could be handled better to make the Board’s meetings more open and transparent to the public.

Mr. Clinton stated that this discussion is not meant to be a criticism of this or any board. He noted that it is an opportunity to “step back and take a look at things.” He noted that The Washington Post’s new motto is “Democracy Dies in Darkness.” Mr. Clinton noted that the four proposals in this presentation are his opinions on how to provide some “sunlight” on local government activities/actions. He noted that these items pertain to the use of closed or executive

sessions; the time of the Board meetings, the manner in which motions are made, and the terms of commission members appointed by the Board.

Mr. Clinton stated that there is a good reason for having closed sessions; however, the Board is sometimes insouciant in having them. He stated that closed sessions should be a rare occurrence and he recommends more diligence in this respect. Mr. Clinton stated that it is also unnerving and disquieting to have closed sessions scheduled at the beginning of the Board's meetings. He noted that this presents an image that the Board is making decisions on what they are going to do before the public portion of the meeting begins. Mr. Clinton recommended that the Chairman and County Administrator document the review and approval of all planned closed sessions prior to the meeting.

Regarding the date and time of the Board meetings, Mr. Clinton stated that the Board has periodically discussed in the past whether their meeting schedules are accessible to the public and the local newspaper publication deadline. He noted that this was last discussed 8 years ago and he believes that the Board should review this topic again. Mr. Clinton stated that "the point is public information" and whether the current meeting date/time is advantageous to the citizens and allows the press to provide the public with information regarding the Board meeting actions as soon as possible after the meeting.

Mr. Clinton stated that the meetings should be made accessible to the maximum number of people and he would like the Board to have further discussion on this matter by their April regular meeting.

Regarding term limits, Mr. Clinton stated that the Board should consider term limits for all board-appointed positions. He noted that this would allow public service opportunities to the maximum number of County citizens and encourage broad participation in local government.

After discussion, Mr. Clinton stated that these three topics are recommendations for the Board's consideration. He stated that his last discussion topic pertains to "seconds to motions" made by the Board. Mr. Clinton stated that "this seems like a small thing" but he believes that seconds are redundant, especially in a small board that represents the people. Mr. Clinton stated that it "silences the citizens when that member does not get a second on a motion."

Mr. Clinton stated that there are approximately 6,000 residents in each of the County's five election/magisterial districts and it is presumptuous to silence 6,000 people if a second is not obtained on a motion. He noted that each Board member represents 20% of the total group; mathematically and procedurally under Robert's Rules of Order, it does not make sense to have a second on motions.

Mr. Clinton stated that his research indicates that various parliamentary authorities including Ray Keesey, John Tilson, and Mason's Manual indicate that seconds are not necessary and are redundant.

Mr. Clinton stated that, procedurally, if a motion is made, then discussion is not held on the motion until there is a second; however, this is often not done in meetings. He stated that having a second on motions "gets in the way of good government." Mr. Clinton stated that maybe it is his own hang-up on this issue but he thinks the Board's meetings would run better and it would better serve the public by there not being a requirement for seconds on motions.

Mr. Clinton stated that he would like the Board to take action today on the issue of seconds on motions; however, the other three items may require a little more study and thought by the Board and staff.

Mr. Leffel stated that it has been said that seconds are clumsy, insular, and unnecessary and he is the "unnecessary person" that caused the issue requiring seconds to motions to be implemented by the Board. Mr. Leffel stated that he feels that seconds are important and serve a purpose. He noted that, if the requirement is that seconds should be obtained before any discussion is held on the motion, then he is agreeable with that provision.

Mr. Leffel stated that, if Mr. Clinton would like to make a motion at this time regarding seconds, he is willing to second the motion in order to allow discussion by the entire Board on this issue.

Mr. Clinton then made a motion, which was seconded by Mr. Leffel, to eliminate the requirement of a second on motions brought before the Board.

Mr. Leffel stated that he opposes the issue of eliminating seconds and will vote against the motion. Mr. Leffel stated that, when Mr. Clinton was previously a Supervisors member, he (Mr. Leffel) saw that the Board did not require seconds and he thought that the Supervisors' process of taking action on various topics was too quick. Mr. Leffel stated that, when he was a School Board member, they required seconds on motions and he was comfortable with that procedure and would like the Supervisors to continue requiring seconds on motions.

Mr. Sloan then questioned what governs the Board's protocol in conducting meetings—Robert's Rules of Order, modern parliamentary procedure, or another type of legislative requirements. He also questioned whether the Supervisors have adopted any types of rules/regulations to govern their meetings.

Mr. Michael Lockaby, County Attorney, stated that the Supervisors have a set of bylaws that they follow for the conduct of meetings which include a reference to "A Handbook of Parliamentary Procedure" a publication by the Virginia Cooperative Extension Service. He noted that these bylaws are considered and adopted at the Supervisors' yearly reorganizational meeting.

After questioning by Dr. Scothorn, Mr. Lockaby stated that having seconds on motions is not a requirement. Mr. Lockaby noted that Botetourt County has been in the "middle" on this issue in the three years he has been County Attorney. He stated that the Board can handle the issue of seconds for motions in any manner they like as long as the Board is comfortable with the chosen procedure. He noted that "it is a policy matter of the Board."

After further questioning by Dr. Scothorn, Mr. Lockaby stated that there is nothing illegal in the way the Board is handling the issue of seconds at this time.

Mr. Martin stated that Robert's Rules of Order indicates that seconds are not necessary for a small-sized board; however, the Board can do so. Mr. Martin stated that he is in favor of having seconds on motions as it "acknowledges" that there is a motion on the floor. Mr. Martin stated that he does not think it is "suppressing the vote of 6,000 people" by having a second on motions.

Mr. Clinton stated that he understands the comments made but thought that the Board needed to discuss this issue further. He noted that, in at least two cases at the Board's January regular meeting, the absence of a second caused a motion to fail and the motion probably would have been to the benefit to the County. Mr. Clinton further stated that, during the 2015 budget discussions, a motion was made to raise taxes less than the amount approved by the Board in the following year. He noted that the 2015 motion died due to the lack of a second. Mr. Clinton stated that he believes having a second is "more harmful than it is helpful" and is a misguided policy.

There being no further discussion, the motion to eliminate the requirement for seconds on motions failed by the following recorded vote: (Resolution Number 18-02-12)

AYES: Mr. Clinton

NAYS: Mr. Sloan, Mr. Martin, Mr. Leffel, Dr. Scothorn

ABSENT: None

ABSTAINING: None

Mr. Lockaby then stated that the State Corporation Commission (SCC) issued an order earlier today that there would be a locally-held public hearing on the proposed AquaVirginia rate increase on May 15 at 4:30 and 7PM at Lord Botetourt High School. He noted that AquaVirginia is required to provide notice to their customers of this hearing's date, time, and location.

Mr. Lockaby noted that this hearing will be held before the SCC's hearing official, i. e., judge.

Mr. Leffel then stated that he has been informed that plans for the proposed asphalt plant on the Thompson farm in Eagle Rock have changed and this facility will not be built.

A joint work session with the Botetourt County Planning Commission was then held to consider proposed amendments to Chapter 25. Zoning regarding home agriculture uses.

On motion by Mr. Kidd, seconded by Mr. Griffin, and carried by the following recorded vote, the Planning Commission called their continued meeting to order at 4:15 P. M. with the following Commission members present:

AYES: Mr. Foster, Mr. Griffin, Mr. Thurman, Mr. Kidd

NAYS: None

ABSENT: Mr. Nicely

ABSTAINING: None

Mr. Sam Foster, Chairman

Mr. John Griffin

Mr. W. R. Thurman

Mr. Steve Kidd

Mr. Hiawatha Nicely (arrived at 4:23 P. M.)

Mr. Jerod Myers, County Planner, stated that this matter was brought to the Planning staff's attention in 2017 after the Lewises on Cambridge Drive in Daleville received a notice of violation from the County's Code Enforcement Officer for having beehives on their property, which are not allowed in residential districts. He noted that the Lewises submitted a text amendment application to the Planning/Zoning Office to allow beekeeping as a permitted, by right use in residential districts.

He noted that, in addition to beekeeping, staff took the opportunity to review other forms of residential agriculture that could be considered by the County. Mr. Myers stated that this work has resulted in proposed Zoning Ordinance amendments to allow limited amounts of certain residential/home agriculture uses in residentially-zoned districts.

Mr. Myers stated that the Zoning Ordinance defines *agriculture* as "the use of land for purposes of raising plants and animals useful to humans, including field crops, pasture, fruits, vegetables, floral and greenhouse products, and viticulture, silviculture, aquaculture, apiculture, poultry, and other fowl, horses and other livestock, including owning, breeding, leasing, training and recreational usage of livestock and the necessary accessory uses ..." He noted that the ordinance also has provisions for *agriculture, limited* and *agriculture, intensive* uses, which are industrial-scale agriculture operations such as swine, beef, and poultry feed lots.

Mr. Myers stated that agriculture uses are permitted in A-1, FC, M-1, M-2, PIP, and RAM use districts and limited agriculture is permitted in the RR use district. He noted that intensive agriculture is only allowed in the A-1 use district. Mr. Myers further stated that, with the exception of "limited agriculture" in the RR district, "agriculture" is not a defined or permitted use in residential use districts such as R-1, R-2, and R-3.

Mr. Myers stated that over the years the Planning and Zoning Office has received citizen complaints about farm-type animals in residential neighborhoods and others have complained when they cannot have agricultural animals on their residentially-zoned lot. He noted that staff is proposing a fourth category of agriculture called "home agriculture" which would allow property owners in residentially-zoned districts to grow fruits, vegetables, honeybees, and have small agricultural animals on their property. He noted that this use would only be permitted on residential lots that contain single-family detached homes and setbacks and lot size requirements would need to be met as well.

Mr. Myers stated that the staff reviewed similar ordinances in surrounding localities and, using factors unique to Botetourt such as zoning, lot size, setbacks, accessory structures and population, they have drafted proposed text amendments that would allow for limited agriculture opportunities in residential districts. He noted that these amendments do not allow cows, goats, pigs, geese, peacocks or turkeys but do allow limited numbers of chickens (hens only), quails, ducks, pigeons, doves, rabbits, and honeybees.

Mr. Nicely then arrived at this time.

Mrs. Nicole Pendleton, Planning Manager, then asked Mr. Myers to explain his research as to how the specific numbers of allowable animals were determined.

Mr. Myers stated that the draft ordinance proposes that citizens can have up to 12 of any combination of domestic fowl, up to 6 rabbits over 6 months of age and up to 15 rabbits under 4 months of age, and up to 4 beehives on parcels of 12,000 square feet (sf), with one additional beehive allowed for each 2,000 sf of area in excess of 12,000 sf. Mr. Myers noted that he worked with the Cooperative Extensive Service in determining the proposed numbers of animals.

After discussion, Mr. Myers stated that that in Roanoke City there is a maximum of 10 chickens allowed on a parcel of less than 20,000 sf (0.5 acre) and a maximum of 40 chickens on a parcel of 20,000 sf or larger; in Roanoke County on a parcel of 0.5 acre or less up to 6 chickens are allowed and, on a parcel of 1+ acre, up to 12 chickens are allowed; and in Vinton, property owners are only allowed to have up to 6 chickens on one acre or more.

Mr. Myers stated that the calculations on the number of rabbits allowed were based on similar provisions for dogs whereby, if a dog is under 6 months of age, they are not counted in the total permitted figure.

After questioning by Dr. Scothorn, Mr. Myers stated that policing by the Planning Office staff of violations of these provisions would be complaint-based.

After questioning by Mr. Martin, Mr. Myers stated that roosters are not proposed to be permitted as they are too loud and would disturb the neighbors.

Regarding the proposed beehive restrictions, Mr. Myers stated that Vinton allows up to 12 beehives, Roanoke County allows up to 4 hives for every 10,000 sf of land area, Roanoke City allows up to 4 hives on 10,000 sf or less, and one additional beehive is permitted for each 2,000 sf in excess of 10,000 sf and, if the property is an acre or more, the density restrictions do not apply.

After questioning by Mr. Clinton, Mr. Myers stated that a hive is considered one apiary structure.

Mr. Myers then noted that there are several beekeepers present at this meeting to answer questions.

After questioning by Mr. Sloan regarding the health of honeybees in this area, Mr. Mike Lewis of Daleville stated that there was a massive bee kill last year in this part of the country. He noted that there is a "fair amount" of beekeepers in Botetourt County at this time. He noted that beekeeping is an expensive operation and any bees lost to illness and disease will have to be replaced.

Mr. Myers stated that the current Zoning Ordinance setback requirements will be included with the proposed home agriculture ordinance amendments for coops and pens for these animals. He noted that, in the R-1, R-2, R-3, TND, PUD, and RR districts, the setback for animal enclosures (sheds, coops, etc.) will be 5' from a rear or side property line. He noted that Section 25-431 of the ordinance currently regulates setbacks for animal enclosures. Mr. Myers further noted that for bees, the setback requirements are 10' from property lines.

After discussion, Mr. Myers stated that, if the hive's opening faces an adjacent property, then a flyway barrier, to direct the bees' flight above the adjacent property, would be required. He noted that, in other jurisdictions, a 10' setback from an adjacent property is the standard requirement for a hive. Mr. Myers then displayed photographs of hives in this area including at Glenvar High School, the Greenfield property, etc.

Mr. Myers stated that existing provisions in the Zoning Ordinance would address general concerns such as sanitation, noise, animal welfare, etc., regarding these types of proposed uses.

After questioning by Mr. Clinton regarding similar noise violations for dogs barking, Mr. Myers stated that is considered a Noise Ordinance violation if a dog barks at least once per minute for 10 consecutive minutes. Mrs. Pendleton noted that this provision is currently in the County Code and Noise Ordinance complaints are overseen/enforced by the Sheriff's Department.

It was stated that restrictions of animals in residential areas are regulated by either the County Code or the subdivision's recorded covenants and restrictions. Mr. Myers noted that the County does not enforce provisions contained in a subdivision's covenants and restrictions. He further noted, for example, that the covenants and restrictions for Apple Tree Village Subdivision do not allow animals (other than dogs and cats) or livestock.

After questioning by Mr. Leffel as to whether the City of Roanoke has dealt with any problems/complaints from citizens about their neighbors having beehives, Mr. Myers stated that he did not contact the City's Planning/Zoning Department on this issue.

Dr. Scothorn questioned that, if the Board approves these amendments and Apple Tree Village's covenants/restrictions do not allow these types of animals, who would enforce a violation. Mr. Myers stated that a violation of the covenants/restrictions would be privately enforced, not by the County.

After discussion, Mrs. Pendleton stated that staff is requesting consideration of the next step in this process which, if the Board agrees, would be to hold a community meeting to obtain input on these proposed amendments.

Dr. Scothorn noted that he has concerns regarding policing of these regulations if they are approved and stated that he would like some information from other jurisdictions as to how

they handle policing and citizen complaints on these types of farm animals. Dr. Scothorn stated that he also thinks that a larger amount of space is needed to house these animals than what is proposed.

After questioning by Mr. Leffel, Mr. Lewis stated that he has worked with Mr. Myers on these proposed regulations and he believes that the square footage requirements are adequate and a good standard for this small number of animals.

After discussion, Mr. Lewis stated in May/June/July bees have a tendency to swarm in order to create a new colony so a beekeeper may need to have an extra hive on their property during this time, than would be allowed in the proposed regulations, to house the new group. Mr. Thurman noted that he is agreeable to the proposed ordinance amendments as outlined today.

After questioning by Mr. Thurman, Mr. Lewis stated that the 10' setback is adequate for beehives.

After questioning by Dr. Scothorn, Mr. Lewis stated that bees cannot be directed along a certain flightpath.

Dr. Scothorn stated that he has an issue with allowing beehives in residential areas where children could be stung.

Mr. Lewis stated that he would recommend that anyone considering placing beehives on their property check with their neighbors first. Mr. Lewis stated that, when he began beekeeping, he invited the neighborhood's parents and children to his home to educate them about bees. He noted that "without bees we are dead" as they pollinate many of our food crops.

After discussion, Mr. Myers stated that provisions regarding swarming honeybees are included in the proposed ordinance and allow beekeepers to have 2 additional hives for this purpose only during swarm season.

Mr. Myers further stated that he also did some research on children and allergies in the United States. He noted that 0.4% to 0.8% of kids and 3% of adults have potentially life-threatening reactions (anaphylaxis) to bee stings.

After questioning by Mr. Martin, Mr. Lewis stated that "African killer bees" do not tolerate cold weather so they would not survive in this area.

After questioning by Mr. Griffin, Mr. Lewis stated that honeybees fly between 3 – 5 miles from the hive to find nectar.

Mr. Foster stated that he would also like information from other jurisdictions on the number and type of complaints received regarding honeybees/hives, chickens, rabbits, etc. He noted that this information would help the Planning Commission in their review of these proposed amendments.

After questioning by Mr. Griffin, Mr. Lewis stated that bees do not fly at night unless someone/something has disturbed their hive. After further questioning by Mr. Griffin, Mr. Lewis stated that dog/cat food left outside would attract yellow jackets not honeybees.

Dr. Scothorn stated that he does not know of any subdivisions in his district that have homeowner associations and he is concerned that there would be no enforcement of any violations of covenants and restrictions which regulate these proposed types of farm animals.

Mr. Foster stated that this subdivision covenant/restriction information would probably be on record in the Clerk's Office.

Mr. Griffin stated that to enforce these covenants/restrictions would likely entail filing a complaint with the magistrate and the issuance of a summons to court and people usually do not want to take their neighbors to court.

Mr. Martin suggested that any proposed beekeeper discuss their plans with neighbors before starting such a project.

Mr. Myers noted that educational material and handouts could be made available with the ordinance text to address these concerns.

After questioning by Mr. Griffin, Mr. Myers stated that there are no proposed mandatory requirements that would require beekeepers to attend classes before setting up their hives.

After questioning by Mr. Myers, Mr. Lewis stated that there is an initial investment of \$1,000 - \$1,100 to set up beekeeping.

After questioning by Mr. Martin, Mr. Lewis stated that a queen bee's lifespan is usually approximately 3 years and she is then replaced with a new queen.

Dr. Scothorn thanked Mr. Myers for this information and asked that he report back to the Board on the information obtained from other jurisdictions on the number and types of complaints received regarding home agriculture-type uses. After discussion, Dr. Scothorn noted that he would like this information prior to the staff scheduling a community meeting on these proposed amendments.

Mr. Leffel noted that Roanoke City has approved an ordinance allowing residents to have chickens on their properties.

After questioning by Mr. Nicely, Mr. Myers stated that Roanoke City allows up to 10 chickens on a 20,000 sf (0.5 acre) or less lot and a maximum of 40 chickens are allowed if a property owner has 0.5 acre or more.

Mr. Nicely stated that he knows of several property owners in the area that have tried having chickens on small lots and they cannot keep them because of bears killing the chickens.

Dr. Scothorn stated that he knows of another individual who has 12 – 15 chickens who were attacked by foxes.

There being no further discussion, the Board and Commission members thanked Mr. Myers for his presentation.

On motion by Mr. Kidd, seconded by Mr. Griffin, and carried by the following recorded vote, the Planning Commission meeting was adjourned at 4:52 P. M.

AYES: Mr. Foster, Mr. Griffin, Mr. Thurman, Mr. Kidd, Mr. Nicely

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn then noted that the County's broadband committee is working on an information gathering session. He noted that the current technology is very advanced for this type of service.

Discussion was then held on various appointments.

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Mrs. Katie Conner of 717 Mountain Valley Road, Buchanan, as a citizen representative on the Roanoke Valley Greenway Commission for a three year term to expire on June 30, 2020, and directed staff to send a letter to Mrs. Mary Ann L. Miller thanking her for her previous service on the Commission. (Resolution Number 18-02-13)

AYES: Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: Mr. Sloan

After discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board appointed Mr. Steve Clinton as an elected representative on the Roanoke Valley-Alleghany Regional Commission to fill a term which will expire on June 30, 2018. (Resolution Number 18-02-14)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board appointed Ms. Debbie Bonniwell as an alternate representative from Blue Ridge Behavioral Healthcare on the Community Policy and Management Team for a term that will expire on September 1, 2018. (Resolution Number 18-02-15)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then adjourned the meeting at 4:55 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:06 P. M.

A public hearing was then held on a request in the Amsterdam Magisterial District from David L. and Myrtle H. Montgomery to rezone 1.57 acres of a 2.25-acre lot from the Agricultural (A-1) Use District to the Rural Residential (RR) Use District, with possible proffered conditions, in accordance with Section 25-112. Permitted uses of the Botetourt County Zoning Ordinance, to construct a single-family dwelling adjacent to 2918 Catawba Road, Troutville, on 1.57 acres, then combine and convey the remaining 0.68 acres to adjoining property on a site located approximately 1.72 miles south of the intersection of Catawba Road (Route 779) and Blacksburg Road (Route 630), and is identified on the Real Property Identification Maps of Botetourt County as Section 87, Parcel 26B.

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

Mr. Jerod Myers, County Planner, stated that this lot consists of 2.25 acres. He noted that the Montgomerys' son maintains 0.68 acres of this parcel and the applicants would like to convey that 0.68 acre to their son and convey the remaining 1.57 acres to their daughter for a single family residence. He noted that, since 1.57 acres is less than the minimum lot size in the A-1 District, the property owners are requesting that the parcel be rezoned to RR use.

Mr. Myers stated that the RR district allows for a mix of rural residential and agricultural-type uses. He further noted that VDoT's 2016 average daily traffic count for this section of Route 779 is 5,500 vehicles and this property is not located within the 100 year floodplain.

Mr. Myers stated that one comment was made prior to the Planning Commission's public hearing on this request by Mr. Steve Hamblin who said that this request, if approved, would be considered spot-zoning. He further noted that the applicants were present to answer any questions.

Mr. Martin stated that this request was discussed at the Planning Commission and Mr. Hamblin's comments were the only statements made regarding this matter. He noted that the Planning Commission recommended approval of this request.

After questioning by Dr. Scothorn, Mr. Myers stated that rezoning is a solution to allow the applicant to convey acreage and build a single family home while maintaining compliance with the Zoning Ordinance's provisions.

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. 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 18-02-16)

AYES: Mr. Martin, Mr. Sloan, Mr. Clinton, Dr. Scothorn, Mr. Leffel

NAYS: None

ABSENT: None

ABSTAINING: None

**DAVID L. AND MYRTLE H. MONTGOMERY**

In the Amsterdam Magisterial District to rezone 1.57 acres of a 2.25-acre lot from the Agricultural (A-1) Use District to the Rural Residential (RR) Use District in accordance with Section 25-112. Permitted uses of the Botetourt County Zoning Ordinance, to construct a single-family dwelling adjacent to 2918 Catawba Road, Troutville, on 1.57 acres, then combine and convey the remaining 0.68 acres to adjoining property on a site located approximately 1.72 miles south of the intersection of Catawba Road (Route 779) and Blacksburg Road (Route 630), and is identified on the Real Property Identification Maps of Botetourt County as Section 87, Parcel 26B.

A public hearing was then held on a request in the Buchanan Magisterial District from Gregory Dunn Pillis for a Special Exception Permit in the Agricultural (A-1) Use District, with possible conditions, for a Bed and Breakfast short term rental establishment [up to three (3) guest rooms] in accordance with Section 25-434. Bed and breakfast and short-term rental establishments of the Botetourt County Zoning Ordinance on a 28.558-acre property located at 1476 Wheatland Road (State Route 639) at the intersection with Loope Lane (State Route 732), and is identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 149.

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

Mr. Drew Pearson, County Planner, stated that this proposed SEP is for a bed and breakfast containing up to 3 guest rooms on a 28.56 acre parcel. He noted that the property has an existing single family dwelling, a barn, and several sheds.

Mr. Pearson stated that the dwelling is in need of major repairs and the applicant has contacted the Building Official to discuss what needs to be done to bring the building into compliance with the various building codes. He noted that Mr. Pillis is also proposing to construct a small addition on the house and add a new deck.

Mr. Pearson further noted that Mr. Pillis has contacted the Health Department regarding the installation of a new septic system and contacted VDoT regarding use of the existing gravel

driveway to access the bed and breakfast. He noted that VDoT had no problems with this proposed use.

After discussion, Mr. Pearson noted that all but one adjacent property is zoned for Agricultural A-1 use and that one parcel, which is the applicant's residence, is zoned for Rural-Residential use.

Mr. Pearson noted that the County's short-term rental ordinance, which was adopted by the Supervisors last year, contains safeguards for the operation of these types of facilities. He noted that the applicant can serve food to his guests but cannot operate a restaurant on the premises.

He further noted that the Department of Fire and EMS has also reviewed this application and did not have any comments or concerns about this proposed use. He noted that the applicant will also have to comply with the Noise Ordinance's provisions, provide adequate off-street parking for his guests, and maintain a log of the guests' names, addresses, length of stay, etc. Mr. Pearson further noted that the proposed bed and breakfast will be served by individual well and septic systems.

After discussion, Mr. Pearson noted that there were no comments from the public on this proposal at the Planning Commission meeting and, as there are supplemental regulations in effect for these types of uses, staff is not suggesting any additional conditions be included with this approval at this time.

He noted that the applicant is present to answer any questions by the Board.

Mr. Martin noted that this request did not generate any concerns by the Planning Commission and he had no further questions or comments on this matter at this time.

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

On motion by Mr. Sloan, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a request in the Buchanan Magisterial District from Gregory Dunn Pillis for a Special Exception Permit in the Agricultural (A-1) Use District for a Bed and Breakfast short term rental establishment [up to three (3) guest rooms] in accordance with Section 25-434. Bed and breakfast and short-term rental establishments of the Botetourt County Zoning Ordinance on a 28.558-acre property located at 1476 Wheatland Road (State Route 639) at the intersection with Loope Lane (State Route 732), and is identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 149. (Resolution Number 18-02-17)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the meeting was adjourned at 6:20 P. M. (Resolution Number 18-02-18)

AYES: Mr. Clinton, Mr. Martin, Mr. Leffel, Dr. Scothorn, Mr. Sloan

NAYS: None

ABSENT: None

ABSTAINING: None