

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, April 23, 2019, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:30 P. M.

PRESENT: Members: Mr. Billy W. Martin, Sr., Chairman
Dr. Donald M. Scothorn, Vice-Chairman
Mr. Steve Clinton
Mr. I. Ray Sloan
Dr. Richard G. Bailey

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:35 P. M.

On motion by Mr. Martin, seconded by Dr. Scothorn, 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. 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 Blue Ridge (EastPark) and Amsterdam (Greenfield) 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, namely concerning the Fincastle, Valley, Blue Ridge (EastPark) and Amsterdam (Greenfield) districts; Section 2.2-3711.A. 8, Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, namely concerning the Fieldstone Development; and Section 2.2-3711.A. 1, Discussion, consideration, or evaluation of specific employees of the County, regarding the County Administrator's annual performance evaluation. (Resolution Number 19-04-02)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:05 P. M.

On motion by Mr. Sloan, 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 19-04-03)

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

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.

Chief of Fire and EMS Jason Ferguson then asked Mrs. Georgia Knighton of the Eagle Rock Volunteer Rescue Squad, and Eagle Rock Volunteer Fire Department Chief Darryl Johns to come forward. Chief Ferguson stated that Mrs. Knighton retired from the position of Rescue Chief in January after a decade in that position and over 35+ years of service to the Eagle Rock

Rescue Squad. He noted that she has been a staple in the fire/EMS community and is still active in this volunteer organization.

Chief Ferguson stated that he worked with House of Delegates member Terry Austin to obtain a commendation of Mrs. Knighton's service from the House of Delegates. He then read the proclamation and congratulated Mrs. Knighton for her many years of service.

Mrs. Knighton stated that she likes helping people and became a member of the rescue squad at a later stage in life when she wanted something to do. She noted that she also obtained certification as an Emergency Medical Technician.

Mrs. Knighton then thanked her husband, Larry, who has been her driver for 20 years and everyone who had a part in this presentation.

Mr. Martin thanked Mrs. Knighton for all that she has done to care for the citizens of, and visitors to, Botetourt County.

Mr. Martin then recognized the presence of Delegate Terry Austin at the meeting.

The Chairman then asked for a moment of silence.

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

After questioning by Mr. Martin, there was no one present to speak during the public comment period.

Discussion was then held on the consent agenda items. Mr. Martin stated that he would like to pull items 2 (Approval of resolution declaring May as "Business Appreciation Month"), 4 (Approval of resolution declaring the week of May 19 – 25, 2019, as "National EMS Week"), and 5 (Approval of resolution commemorating the Roanoke Valley/Alleghany Regional Commission's 50th anniversary) from the consent agenda to allow further discussion by the Board.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board agreed to Mr. Martin's request to remove items 2, 4, and 5 from the consent agenda and approved the following consent agenda items: (Resolution Number 19-04-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of the minutes of the regular meeting held on March 26, 2019;

Approval of the minutes of the budget public hearing held on April 10, 2019;

Approval of resolution declaring May as "GBS and CIDP Awareness Month;" and,

Approval of a one-year lease agreement for the Recreation and Facilities Department's office space with Bravo Properties.

Consideration was then held on a resolution declaring May as "Business Appreciation Month." Mr. Ken McFadyen, Economic Development Director, stated that his office has been working with the Roanoke Small Business Development Center and meeting with local realtors, attorneys, lenders, etc., to discuss ways to improve the County's small business environment. He then read the resolution.

Mr. Martin thanked Mr. McFadyen for the work that he does for the County's businesses.

Mr. McFadyen noted that it is a team effort.

Mr. Clinton stated that the County is doing a good job with our businesses/industries and encouraged the staff to continue along the lines of supporting small local businesses. Mr. Clinton stated that he knows that the County's resources are limited but it would be good to see more County-based encouragement for the small business community. He noted that last year the County had a brochure developed which contained information on rules/regulations for people wanting to start a small business. He encouraged the staff to continue working in this effort.

There being no further discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution declaring May as "Business Appreciation Month."

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 19-04-05

WHEREAS, the Botetourt County Board of Supervisors is committed to ensuring the long-term economic stability of the County and creating a business-friendly environment that benefits all who live, work, and travel in the County; and,

WHEREAS, all of Botetourt County's businesses, from small, family-owned businesses to large manufacturers and logistics companies, play a pivotal role in strengthening our County and the Roanoke Valley by creating and maintaining a diverse array of jobs, utilizing innovative technologies, and investing in our community which provides greater economic prosperity for all our citizens; and,

WHEREAS, Botetourt County currently has more than 800 businesses that provide approximately 10,500 jobs in the County and beyond, and offer a variety of services and products worldwide; and,

WHEREAS, the Board of Supervisors recognizes the new and continued accomplishments and expansions of our existing businesses and celebrates and supports the entrepreneurial spirit that thrives in Botetourt County; and,

WHEREAS, the Board of Supervisors acknowledges the many charitable, civic, and philanthropic contributions made by the County's businesses and encourages the highest level of corporate citizenship and community involvement;

WHEREAS, the Board of Supervisors also thanks its partnering organizations for the collaborative efforts required to promote, retain, and grow a vibrant and varied business community; and,

WHEREAS, the Board of Supervisors has recently reaffirmed Botetourt County's commitment to assisting "our existing businesses to continually reinvest and expand" and to "maximize conditions for new businesses to establish themselves and thrive."

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors does hereby recognize May 2019 as **Business Appreciation Month** in Botetourt County as a distinct opportunity to recognize Botetourt County's businesses for the essential roles they play in our community as well as for driving and strengthening the County's economy.

Consideration was then held on approval of a resolution declaring the week of May 19 – 25, 2019, as "National EMS Week."

Chief of Fire and EMS Jason Ferguson stated that for the past several years the County has recognized National EMS Week. He noted that the theme of this year's recognition is "EMS Strong-Beyond the Call." Chief Ferguson stated that each EMS member participates in countless hours of training, practice, equipment maintenance, and deals with stress--both on the job and at home.

He then read the proclamation.

Mr. Martin thanked all of the County's fire/EMS personnel for what they do and stated that the Board appreciates each member's dedication and commitment.

Mr. Sloan noted that he is proud to be the Department of Fire/EMS's Chaplain.

Mr. Martin noted that the new Eagle Rock fire truck, which was outside on display prior to the start of today's meeting, looks very nice and adds to the fleet of response equipment used by the County's career and volunteer fire/EMS personnel.

There being no further discussion, on motion by Mr. Sloan, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution declaring the week of May 19 – 25, 2019, as "National EMS Week."

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 19-04-06

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to tele-medicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, sheriff's deputies, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is important to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors in recognition of this event do hereby proclaim the week of May 19 - 25, 2019, as **EMERGENCY MEDICAL SERVICES WEEK**, with the theme, EMS Strong: Beyond The Call.

Consideration was then held on approval of a resolution commemorating the Roanoke Valley/Alleghany Regional Commission's 50th anniversary. Mr. Martin stated that he has been associated with RVARC for 12 years and is currently a member of their Board of Directors. He noted that this is a good organization which works regionally on many projects.

He then read the resolution.

Mr. Clinton stated that this is a lengthy resolution and all of its provisions are absolutely true. Mr. Clinton noted that he has served as the County's RVARC representative several times during his tenures on the Board of Supervisors and this group does a lot more on a regional level than the average person is aware of. Mr. Clinton noted that they are a liaison between several organizations/entities, and cooperate and collaborate on many projects that impact the citizens of this region.

On motion by Mr. Clinton, seconded by Mr. Sloan, and carried by the following recorded vote, the Board adopted the following resolution commemorating the Roanoke Valley/Alleghany Regional Commission's 50th anniversary.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 19-04-07

WHEREAS, in 1966, the General Assembly created the Metropolitan Areas Study Commission (the Hahn Commission), which found that a holistic approach to solving local and regional problems needed to be taken and recommended a new concept, the creation of planning district commissions and service district commissions; and,

WHEREAS, the Virginia Area Development Act (VADA) passed in 1968 created the planning district commission framework "to encourage and facilitate local government cooperation and state-local cooperation in addressing, on a regional basis, problems of greater than local significance"; and,

WHEREAS, following passage of the VADA, the Commonwealth undertook an aggressive effort to establish planning district commission boundaries, the last of which were announced in 1969, and within one year, planning district commissions were established in 19 of the original 22 districts; and,

WHEREAS, in 2019, the Roanoke Valley-Alleghany Regional Commission is celebrating 50 years of promoting and supporting regional collaboration; and,

WHEREAS, the Roanoke Valley-Alleghany Regional Commission serves to foster inter-governmental cooperation by bringing together elected and appointed officials and citizens to discuss common needs and develop solutions to regional issues; and,

WHEREAS, over the last 50 years, the Roanoke Valley-Alleghany Regional Commission has supported its member local governments by conducting studies and identifying solutions in the areas of transportation, economic development, infrastructure, the environment, and community development; and,

WHEREAS, the Roanoke Valley-Alleghany Regional Commission often serves as a liaison between local and state governments, partnering with the Commonwealth of Virginia to carry out state initiatives at the local and regional level; these partnerships have included working cooperatively with state agencies on projects such as developing regional water supply plans, preparing transportation plans, and assisting localities with Community Development Block Grants; and,

WHEREAS, the Roanoke Valley-Alleghany Regional Commission is committed to promoting opportunities for regional collaboration and expanding the types of services it provides to its member governments; and,

WHEREAS, the Roanoke Valley-Alleghany Regional Commission takes great pride in its 50 years of accomplishments, while recognizing the importance of looking ahead to the challenges of the future;

NOW, THEREFORE, BE IT RESOLVED that the Botetourt County Board of Supervisors commends the Roanoke Valley-Alleghany Regional Commission on the occasion of its 50th Anniversary and recognizes the many important programs and services it has provided to the region since 1969; and,

BE IT FURTHER RESOLVED, that the Clerk of the Board is directed to prepare a copy of this resolution for presentation to the Roanoke Valley-Alleghany Regional Commission as an expression of Botetourt County's appreciation for the vital support provided by the Roanoke Valley-Alleghany Regional Commission to local governments, the region's citizens, and the Commonwealth of Virginia.

Consideration was then held on approval of the 2019 tax rate resolution and the FY 19-20 County and Schools budget. Mr. Tony Zerrilla, Director of Finance, stated that the Board’s public hearing on the proposed budgets and tax rates was held on April 10, 2019. He noted that the figures in the proposed resolutions to be considered for adoption today are as advertised.

Mr. Zerrilla stated that no tax increases are proposed in FY 20 and the \$100.9 million proposed budget is a 4.1% increase over FY 19.

After questioning by Dr. Bailey, Mr. Zerrilla stated that the County has \$62,000 remaining in the contingency fund at this time.

Dr. Bailey stated that he would like \$50,000 from the contingency fund to be added to the School budget for a total of \$450,000 in new County monies for FY 20.

On motion by Dr. Bailey, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved an additional \$50,000 in monies from the County’s contingency fund to be allocated to the FY 20 School budget. (Resolution Number 19-04-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Zerrilla stated that he had one additional budget-related request for the Board’s consideration. He requested that \$4,549 from the contingency fund be allocated to the Recreation and Facilities Department’s Fire Insurance line item. He noted that this amount was inadvertently left out of the FY 20 budget request.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board adopted the 2019 tax rate resolution and the FY 19-20 budget approval resolution as follows, which includes an additional \$50,000 in monies from the contingency fund to the School budget and \$4,549 to the Recreation and Facilities Department’s Fire Insurance line item. (Resolution Number 19-04-09)

WHEREAS, the County proposed tax levy was duly advertised and a public hearing was held on April 10, 2019, in accordance with the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the tax rates per \$100 of assessed value for tax year 2019 are set as follows:

Personal Property	\$2.71
Machinery & Tools	\$1.80
Mobile Homes	\$0.79
Real Estate	\$0.79
Motor Homes	\$2.71
Wind Farms	\$0.99

WHEREAS, the County proposed budget was duly advertised and a public hearing was held on April 10, 2019, in accordance with the Code of Virginia,

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County budget for Fiscal Year 2019 - 2020 is

Revenues:

General Fund Revenues:

Local	53,924,843
State	11,232,999
Federal	<u>1,140,467</u>
<i>Total General Fund Revenues</i>	66,298,309

School Fund Revenues:

Other	702,284
State	26,429,322

Federal	25,000
Self-Sustaining Funds	3,452,159
School Nutrition Fund	1,778,090
Textbook Funds	1,850,000
Capital Reserve Fund	400,000
<i>Total School Fund Revenues</i>	<u>34,636,855</u>

Total Revenues **100,935,164**

Expenditures:

General Fund Expenditures:	
Operations as detailed on following pages*	34,164,191
Capital Projects	2,187,100
Transfer to EDA	<u>397,500</u>
<i>Total General Fund Expenditures</i>	36,748,791

Debt Fund Expenditures:	
County/VPASA Fund	4,155,074
School Literary Fund	<u>427,662</u>
<i>Total Debt Fund Expenditures</i>	4,582,736

Contingency: 7,500

School Operating Fund Expenditures: 59,596,137

Total Expenditures **100,935,164**

*OPERATIONS DETAIL:

BOARD OF SUPERVISORS	261,763
COUNTY ADMINISTRATOR	384,038
DEPUTY ADMINISTRATOR	467,982
COMMISSIONER OF REVENUE	418,859
ASSESSOR	110,700
EQUALIZATION BOARD	7,400
TREASURER	521,085
FINANCIAL SERVICES	311,042
TECHNOLOGY SERVICES	1,129,856
CENTRAL PURCHASING	125,027
CENTRAL GARAGE	105,375
ELECTORAL BOARD/REGISTRAR	357,902
CIRCUIT COURT	63,251
GENERAL DISTRICT COURT	28,517
MAGISTRATE	2,630
CLERK OF CIRCUIT COURT	691,856
COMMONWEALTH'S ATTORNEY	809,390
SHERIFF	5,341,736
DISPATCH	927,076
CORRECTION & DETENTION	4,912,146
JUVENILE DETENTION CENTER	150,000
PROBATION OFFICE	4,501
ANIMAL CONTROL	712,452
FIRE & EMS	5,667,941
EMERGENCY COMMUNICATIONS	304,931
DIVISION OF WASTE MANAGEMENT	755,428
MAINTENANCE OF BUILDINGS & GROUNDS	908,900
LOCAL HEALTH DEPARTMENT	329,252
MENTAL HEALTH SERVICES BOARD	40,000
SOCIAL SERVICES	1,332,959
CHILDREN'S SERVICES ACT (CSA)	1,269,190
TOTAL ACTION FOR PROGRESS (TAP)	1,000
BRAIN INJURY SERVICES	2,500
CHILD HEALTH INVESTMENT PARTN. (CHIP)	2,000
ROANOKE AREA MINISTRIES	1,000
BOTETOURT RESOURCE CENTER	10,000
LEAGUE OF OLDER AMERICANS	11,000
DABNEY S. LANCASTER COMMUNITY COLLEGE	2,140
DABNEY S. LANCASTER C.C. - PROMISE PROG.	5,000
VIRGINIA WESTERN COMM. COL. - CCAP PROG.	35,000
BOTETOURT COUNTY FFA ALUMNI	1,000
RECREATION & FACILITIES	1,337,855
BOTETOURT SPORTS COMPLEX	380,625

VAN PROGRAM	80,940
ROANOKE VALLEY TRANSP. PLANNING ORG.	2,688
VIRGINIA'S BLUE RIDGE	150,197
ROANOKE VALLEY BROADBAND AUTHORITY	5,000
ROANOKE VALLEY GREENWAY COMMISSION	14,340
BOTETOURT CO./MUSEUM/HISTORICAL SOCIETY	9,000
WESTERN VA REGIONAL INDUS. FACIL. AUTH.	6,073
LIBRARY	1,205,398
COMMUNITY DEVELOPMENT	1,098,071
ECONOMIC DEVELOPMENT	475,539
PLANNING DISTRICT COMMISSION	33,350
ECONOMIC DEVELOPMENT PARTNERSHIP	69,035
ATTIC PRODUCTIONS	7,000
STANDING ROOM ONLY	7,000
WESTERN VA. EMS COUNCIL	6,722
ENVIRONMENTAL MANAGEMENT	20,111
COOPERATIVE EXTENSION PROGRAM	68,008
PERSONNEL COMPENSATION ADJUSTMENTS	600,000
WELLNESS PROGRAM	<u>63,514</u>
GENERAL FUND EXPENDITURES - OPERATIONS	34,164,191

Dr. Scothorn stated that the school system is in the process of searching for a new Superintendent and he would request that the County be involved in this process. He noted that the County frequently works with the school system and this would be an opportunity for the two groups to work together. Dr. Scothorn stated that he does not want "to step on any feet" with this request.

Dr. Bailey stated that he would like to thank Mr. Clinton, Mr. Martin, and Mr. John Williamson for their efforts on the Budget Subcommittee in developing the County's FY 20 budget. He also thanked the County staff for their work. Dr. Bailey noted that a new staff-review process was implemented for the FY 20 budget's development and he thanked that group for their hard work.

Mr. Sloan also thanked Mr. Martin, Mr. Clinton, and Mr. Williamson for their work on the budget, along with Mr. Tony Zerrilla, Finance Director, and Mr. Cody Sexton, Assistant to the County Administrator.

He noted that funding for agricultural education in Botetourt County benefits students and the agricultural and forestry industries and allows students to be exposed to opportunities in these fields. Mr. Sloan noted that the County offers a well-rounded approach for these agricultural students through classroom learning, hands-on experiences, Future Farmers of America, and the availability of scholarship funds.

Mr. Ray Varney, Resident Engineer, and Mr. Craig Moore, Assistant Resident Engineer, with the Virginia Department of Transportation, were then present to speak to the Board.

Mr. Moore stated that his mom recently had a health situation which necessitated calling the County's Fire/EMS staff and he was impressed by the manner in which these personnel deal with sick/injured persons during a call response.

Mr. Moore then reviewed VDoT's monthly report. He stated that the Route 220 safety improvement project north of Eagle Rock is on-going and erosion issues/problems occurring from the recent heavy rains are being repaired; the Route 11 bridge replacement projects in Cloverdale are continuing with an anticipated completion date of September for the bridge near the weight station and November for the bridge near the NorfolkSouthern railroad overpass; work is proceeding on the bridge habilitation project on Ballpark Road which includes night-time road closures; bridge deck overlay work on I-81 at Exit 150 began this week; painting of the I-81 bridge across the James River and Route 43 is on-going; paving of Secondary System roadways should begin around May 1; and paving plans for next year being prepared by VDoT staff.

Regarding land development projects and land use permits, Mr. Moore stated that County staff continues to work on street acceptances for five Ashley Plantation streets that were not brought up to VDoT standards by the subdivision's previous developer.

After questioning by Mr. Clinton, Mr. Moore stated that last week he submitted a revised punch list of items that needed to be completed on these roadways before they could be considered for acceptance into the Secondary System for maintenance. He also noted that a revised cost estimate is needed for this work.

After further questioning by Mr. Clinton, Mr. Moore stated that VDoT has not calculated a cost estimate for these road projects—the previous cost estimates were obtained by the bank which took ownership of the property when the developer declared bankruptcy. After further questioning, Mr. Moore stated that, when requests for bids were previously advertised by the County for this road work, no bids were submitted.

Mr. Moore stated that VDoT is conducting a site plan review for the West Center Drive project in Greenfield and for the access road to the new Colonial Elementary School. He further stated that VDoT issued 3 utility permits, 5 private entrance permits, and 1 special event permit during the past month. He noted that VDoT is "fine-tuning" the cost estimate for the Route 11/Simmons Road safety improvement project which looks favorable to proceed. Mr. Moore noted that tree removal and utility work has been completed on the Route 43/Shiloh Drive sight distance improvement project and excavation work should begin this week; tree removal along a portion of Zimmerman Road is progressing, and work should begin on the White Church Road Rural Rustic Road (RRR) project in June.

Regarding traffic engineering studies, Mr. Moore stated that several intersections along Alternate 220 and Route 460 are under review as part of the roadways' arterial preservation plans and the Board will receive a briefing on these studies in the next few months. He stated that review of turning movements at the Route 460/Laymantown Road intersection are awaiting information from the arterial preservation plan review. He noted that this project may be eligible for improvement under the SmartScale program.

Mr. Moore further noted that traffic analysis data on the Orchard Drive cut-through traffic request has been collected and VDoT's review shows that there is insufficient cut-through traffic to meet VDoT's warrants/guidelines for action.

Mr. Varney stated that their study showed that there is a low cut-through traffic volume on Orchard Drive during the peak morning/evening rush hours. He stated that the maximum traffic count was 52 vehicles per hour and noted that this study's results will be forwarded to the Board members for their information.

After questioning by Mr. Clinton, Mr. Varney noted that VDoT counted traffic in the center of the roadway to determine the traffic's progression from one end of the road to the other to ascertain the number of cut-through vehicles.

Regarding area headquarters/in-house projects, Mr. Moore stated that the pavement/drainage work in Hunter's Green has been finished and VDoT maintenance staff is filling potholes and cleaning ditches from the recent rains. He also congratulated County staff for receiving recognition from VDoT regarding their oversight of the Daleville Greenway project, which is a local-administered project.

Mr. Varney noted that there have been some personnel changes at the County's three VDoT area headquarters facilities. He noted that the Buchanan maintenance shop's supervisor has transferred to VDoT's Craig County operation and a Buchanan crew leader has transferred to the Troutville maintenance shop. Mr. Varney also stated that VDoT has changed the report-

ing structure for the Buchanan maintenance shop from their Eagle Rock facility to the Troutville maintenance shop. Mr. Varney stated that he believes that “routine maintenance issues should be addressed routinely” and these changes should allow their staff to address citizen complaints more quickly.

After questioning by Mr. Martin, Mr. Moore stated that he met with the two property owners along Webster Brick Road and is working on a right-of-entry document to allow VDoT personnel to rework the drainage channel on these properties.

Mr. Martin then noted that he had received a request from a resident of McGregor Drive in Heatherstone Subdivision that this road be asphalted instead of tarred and graveled.

Dr. Scothorn stated that there is still work that needs to be done in Hunter’s Green Subdivision. He noted that Drake Trail still has a dip in the pavement which needs to be repaired.

Mr. Clinton stated that there are still issues with trash along Route 220 and also there is paper and plastic debris along Catawba Road from the landfill to Haymakertown Road. He questioned VDoT’s involvement in efforts to recruit civic/volunteer groups to participate in the Adopt-a-Highway program. Mr. Clinton noted that VDoT’s role in this program appears to be passive.

Mr. Varney stated that VDoT does as much advertising as they can about this program to find citizens/groups to adopt sections of roads for trash cleanup activities. Mr. Moore noted that there is information on VDoT’s website about this program.

After questioning by Dr. Bailey, Mr. Varney stated that he believes that the most recent speed study on Route 220 through Fincastle was done in 2016 and asked that Dr. Bailey, if he wishes to proceed, send him a request asking that another study be initiated.

A work session was then conducted on the FY 20 – 25 Secondary System Six Year Plan and the FY 20 budget. Mr. Ray Varney, VDoT’s Resident Engineer, stated that the Six Year Plan proposes road improvement funding from FY 20 through FY 25. He noted that the Plan’s funding categories are as follows: Unpaved State Funds, TeleFees, and District Grant – Unpaved Funds. Mr. Varney noted that the Unpaved State funds through FY 25 are projected to be \$294,915; TeleFees are projected to be \$600,102, and District Grant – Unpaved funds are projected to be \$1.7 million for a total of \$2.65 million over the six year period. Mr. Varney stated that TeleFees are able to be used on any street project for any purpose, while the other funds can only be used on unpaved roads.

He then reviewed the road priority listings on the proposed Six Year Plan. He stated that Project “0” is the Catawba/Etzler Road intersection project which has had its construction work completed but is still awaiting final administrative close-out; Project “1” is vertical curve improvements on Glebe Road which has \$429,533 in allocated funding to date and a cost estimate of \$1.9 million; Project “2” is White Church Road which is a Rural Rustic Road (RRR) project scheduled for construction this summer; Project “3” is Stone Coal Road which is a RRR project scheduled for construction in 2020; Project “4” is Clydes Run Road which is a RRR project scheduled for construction in 2021; Project “5” is paving 0.8 mile of Prices Bluff Road which is scheduled for 2022; Project “6” is paving 0.5 mile of Back Creek Lane; and Project “7” is paving 1.2 miles of Stevens Road which is scheduled for 2023. Mr. Varney stated that the construction schedules for Project’s 4 through 7 may change depending on how quickly the higher-ranked projects are completed.

Mr. Varney also noted that there are Plan categories for Countywide Traffic Services for speed studies and other types of projects, Engineering and Surveying for drainage repair work, and Seeding and Fertilizing.

Mr. Varney stated that he is recommending that two important projects be considered for addition to the Six Year Plan—Murray Road (Route 771), and Zimmerman Road (Route 603). He stated that Murray Road accesses the new Colonial Elementary School site, which will open in the fall of 2020, and needs to be improved to accommodate school buses and additional traffic. Mr. Varney noted that Murray Road is a paved road; therefore, unpaved road funds cannot be used to make these improvements.

Mr. Varney then reviewed photographs of Zimmerman Road and stated that VDOT previously placed riprap in the road's ditches for stabilization purposes; however, erosion continues to reduce the gravel road's surface width. He stated that the erosion problems need to be stopped so that the dirt banks can be stabilized.

Mr. Varney recommended that the Board remove the Glebe Road project from the Six Year Plan and allocate those funds (\$429,533) to the Murray Road project and add a project for improvements/paving of 0.4 mile of Zimmerman Road from the current end of pavement to Pebbles Drive. He recommended that these two projects be placed on the Plan ahead of the Stone Coal Road project which will delay funding for Stone Coal and the other listed road projects another year from their current anticipated construction schedules. Mr. Varney noted that Zimmerman Road has a traffic count of 156 vehicles per day which is more than needed to add the project to the Plan and more than four of the roads already on the Plan.

Mr. Varney stated that in his opinion it is important to place the Zimmerman Road improvements high on the Plan. He noted that VDOT has received permission from the property owner (Mrs. Bailey) along this section of Zimmerman Road to remove trees/brush so that the dirt bank can be re-sloped to reduce erosion and stabilize the ditchlines. Mr. Varney stated that he does not have a cost estimate for the Zimmerman Road project at this time.

Mr. Martin stated that he agrees with Mr. Varney on Zimmerman Road's need for improvements. Mr. Clinton stated that there is a good case to have this section of road improved. Dr. Scothorn stated that "VDOT is the expert" on this matter.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board authorized VDOT staff to include the Murray Road and Zimmerman Road improvement projects on the Six Year Plan after the White Church Road project. (Resolution Number 19-04-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Clinton then stated that, in his opinion, it does not make sense that the Glebe Road project has been on the Plan for many years and sufficient funding is still not available to make these curve/roadway improvements. He questioned if the scope of this project could be reduced so that the road could be improved sooner.

Mr. Varney stated that this is an option; however, if this is done, he does not know how the needed Murray Drive improvements can be funded. He noted that there are no other paved road funds available for the Murray Drive project and the only account that these funds can be obtained from is the Glebe Road project. Mr. Varney stated that it will be difficult to reduce the scope of the Glebe Road project as its purpose is to increase the sight distance at the Orchard Lake Drive and The Glebe Boulevard intersections and to remove the vertical curve. Mr.

Varney stated that he has no other means of quickly funding the Murray Drive improvements than by using the money allocated for Glebe Road.

After questioning by Mr. Clinton, Mr. Varney stated that he thinks the Murray Drive project will cost more than \$429,000 to complete and FY 20 TeleFees may have to be allocated to complete the project.

Mr. Clinton stated that he “has a problem with eliminating a project that has been on the Plan for a long time” and it does not make sense to remove the Glebe Road project from the Plan.

Mr. Varney stated that to keep a project on the Plan requires a funding allocation.

Dr. Scothorn noted that, if the Murray Drive project is listed further down the Plan, the needed road improvements will not be completed before the new school opens.

Mr. Varney noted that this project’s completion will depend on funding availability and the actual construction cost. He further noted that VDoT personnel have been closely reviewing Murray Drive to try to develop a construction estimate. He noted that their current estimate is more than \$700,000 due to needed utility relocations, water and natural gas line extensions, drainage issues, etc.

Mr. Clinton then questioned whether County/School staff proceeded with this land acquisition/school development project without anticipating any improvements being required on Murray Drive.

Mr. Larowe stated that County staff requested comments from VDoT regarding siting of this proposed school at this location but none were provided.

Mr. Varney stated that this statement that VDoT had no comments regarding Murray Drive is correct. He noted that Murray Drive is a public street and, if the correct VDoT entrance requirements for a school can be met, then VDoT cannot restrict this road being used in its current condition.

Mr. Clinton stated that he would still request that Glebe Road be kept “in the picture” on the Six Year Plan. He noted that the road’s vertical curve is a traffic safety hazard.

Mr. Varney stated that he knows of no way to fund the \$1.9 million Glebe Road project within the Plan’s six year period.

Mr. Martin stated that he would also not like to see Glebe Road removed from the Plan.

After questioning by Mr. Clinton, Mr. Varney stated that the Glebe Road project could be placed lower on the Plan’s priorities but it can only be funded with TeleFees and the County only receives approximately \$110,000 per year in these types of funds.

Mr. Clinton stated that by moving the Glebe Road project lower on the Plan it still “keeps it visible.” Mr. Clinton stated that he does not want this project to disappear but agrees that the Murray Drive and Zimmerman Road projects are critical needs at this time.

After questioning by Mr. Sloan, Mr. Varney stated that a SmartScale funding application could be submitted for the Glebe Road project; however, he does not think the project would receive a high enough score to be eligible for funding. Mr. Varney stated that Glebe Road could again be placed on the Plan in the future.

After questioning by Mr. Sloan, Mr. Varney stated that he is not sure if the new, General Assembly-approved funding stream for I-81 improvements will impact funding for other roadway projects.

After discussion on revisions to the Plan and questioning by Mr. Martin, Mr. Varney stated that he recommends that the Glebe Road improvement project be removed from the Six Year Plan. He noted that to place the project as Priority #3 or 4 is “disingenuous.”

After further discussion, Mr. Clinton requested that the Glebe Road project be retained in the Plan “even if it is the last project.”

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 advertise the FY 20-25 Secondary System Six Year Improvement Plan and the FY 19-20 Secondary System budget for public hearing at the Board’s May 28, 2019, regular meeting, with the Glebe Road project to be relocated to Priority #9, the Murray Drive project to be placed as Priority #2, and Zimmerman Road as Priority #3 (Resolution Number 19-04-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Delegate Terry Austin then stated that the General Assembly recently approved a dedicated funding stream (\$280 million) for transportation projects. He noted that, of this amount, \$150 million would be dedicated for I-81 improvements with the remaining funds allocated to other interstates based on a “miles driven” basis. Delegate Austin stated that it is anticipated that this new funding stream will free up 28% in additional SmartScale program funds, based on last year’s figures, for other road construction projects.

Delegate Austin noted that the State needs to fix the highway improvement revenue stream in the future so there will be additional monies available for road construction projects.

Mr. Martin thanked Delegate Austin for these comments.

A public hearing was then held on amendments to Chapter 20 Solid Waste of the Botetourt County Code regarding weeds and grass. Mrs. Nicole Pendleton, Director of Community Development, stated that these proposed ordinance amendments were reviewed with the Board last month. She noted that they will help the staff regulate high grass and weeds in platted subdivisions and properties in residential, business, commercial, or industrial zoning districts.

Mrs. Pendleton stated that enforcement of these provisions is complaint-based at this time. She noted that, when a complaint is received regarding an overgrown lot, the staff reviews the property, and contacts the property owner in writing to give them an opportunity to cut the high grass/weeds. She noted that, if the property is not mowed, then the County contracts to have the mowing done and then bills the owner for the costs. Mrs. Pendleton further noted that, if the bill is not paid within 30 days, a lien is placed on the property.

Mrs. Pendleton stated that staff has worked with developers to resolve complaints about tall grass/weeds on large, undeveloped properties.

She further noted that Mr. Reid McMurry has brought an error in the draft amendments to her attention. She noted that the last sentence of Section 20-92 should have “industrial” added to the listing of zoning district parcels that are subject to these provisions.

Mr. James Norris of Troutville then stated that his family has property which is used as hayfields. He noted that this property was previously zoned Agricultural but was changed to Residential zoning many years ago and he is concerned how these amendments will impact that property.

Mrs. Pendleton stated that County staff responds on a complaint-received basis to overgrown lots within platted subdivisions or residentially-zoned areas, so, unless a complaint is received about Mr. Norris’ property, then her staff will not be involved.

After questioning by Mr. Martin, Mrs. Pendleton stated that County staff does not drive around the County looking for overgrown parcels; staff only responds to citizen complaints on this issue.

Mr. Norris stated that he is concerned that a neighbor may decide that they do not like a hayfield being located next door and files a complaint with the County.

Mrs. Pendleton stated that these amendments do not change any of the current zoning districts (residential, PUD, TND, business, industrial, and shopping center) that are required to comply with the overgrown lot provisions. She noted that the draft amendments state that parcels in the specified districts larger than 1 acre will be required to maintain grass/weeds to less than 12" within 150' of any State-maintained road on which the property fronts or within 150' of any adjoining/developed property.

After questioning by Dr. Bailey, Mr. Norris stated that his property is 3 – 4 acres and is currently mowed twice a year.

Mrs. Pendleton noted that she is unsure if the County has received a previous complaint about Mr. Norris' property being overgrown. She noted that the proposed revisions will require that a smaller section of a parcel larger than 1 acre is kept below 12" tall grass.

After questioning by Mr. Sloan, Mr. Norris stated that his property is located on Richardson Drive, adjacent to Highland Manor Subdivision in Cloverdale. Mr. Norris stated that he has not previously had any problems with his neighbors regarding tall grass/weeds but he is looking to the future.

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

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board adopted the attached amendments to Chapter 20 Solid Waste of the Botetourt County Code regarding weeds and grass, with a revision in the last sentence of Section 20-92 to add "industrial" after "business,". (Resolution Number 19-04-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Nicole Pendleton, Director of Community Development, then gave a presentation on proposed amendments to Chapter 25. Zoning regarding the Gateway Crossing Overlay District. Mrs. Pendleton stated that the Planning Commission received this presentation at their meeting earlier this month.

She noted that the process to incorporate the Gateway Crossing Overlay District into the Comprehensive Plan and Zoning Ordinance has been on-going since September 2017 and has included several stakeholder meetings, community listening sessions, site visits and meetings with consultants from Renaissance Planning, and a joint work session between the Commission and Board in November 2018.

She noted that this overlay district would include an additional series of zoning regulations that overlay the existing zoning of the Gateway Crossing Urban Development Area (UDA) and the Route 220 corridor properties north to Daleville Town Center. She stated that there are three proposed subdistricts in this UDA—community business, residential, and interstate business—each with unique proposed development standards.

Mrs. Pendleton stated that staff and Renaissance Planning personnel reviewed over 250 uses contained in the Zoning Ordinance and identified those that would and would not be compatible within the proposed subdistricts. She then reviewed some of the uses that are proposed to be considered “by right,” permitted with a Special Exception Permit, and those that are prohibited.

Mrs. Pendleton noted that the stakeholder group’s input was invaluable during this ordinance development process. She noted that the group believes that commercial businesses should be attracted to the interstate business subdistrict and those businesses that serve the community should be directed toward the community business subdistrict.

After discussion, Mrs. Pendleton stated that provisions for lot/building requirements, impervious areas, entrances, landscaping/buffering, parking, streets, and sidewalks were also drafted and were included in this agenda item’s background information. She noted that any new roadways in these subdistricts are proposed to be public, constructed to VDoT standards, and correspond with the Comprehensive Plan’s connectivity provisions.

She also stated that access management provisions are proposed along U. S. Route 220 as more vehicles entering the roadway cause more congestion and traffic flow issues. She further stated that staff is also proposing that parking regulations be reduced in these subdistricts as, typically, parking is not allowed/preferred at the front of a commercial business. Mrs. Pendleton stated that it is being proposed that no more than two rows of vehicle parking be allowed in these subdistricts’ commercial areas. She also stated that provisions were created to identify the “front” of a building as the portion of the structure that fronts on the roadway.

After questioning by Mr. Clinton, Mrs. Pendleton stated that in addition to the overlay text there are building design guidelines which will be voluntary in these new Zoning Ordinance amendments.

She further stated that rural landscaping standards are proposed to be relaxed and have been revised to make them easier to understand.

She stated that the current sign ordinance limits the total signage square footage on a parcel in commercial zoning districts to 120 square feet which is restrictive for a businesses, especially those such as a shopping center with multiple storefronts. Mrs. Pendleton further stated that several businesses located along I-81 have said that they want to be more visible from the interstate and language has been drafted that modifies the existing regulations for additional pole signs along the corridor.

She noted that the staff is also conducting additional research on pole sign provisions after comments were made at the Planning Commission meeting. Mrs. Pendleton stated that pole signs are currently only allowed within ¼ mile of Exit 150. She noted that the sign ordinance also does not provide businesses with an opportunity to upgrade their signs and some revisions are proposed to those standards as well.

Mrs. Pendleton stated that these proposed amendments are not yet ready for a public hearing and staff continues to make revisions.

Mr. Martin thanked Mrs. Pendleton for this overview.

Mr. Clinton stated that, in the last six months, the County’s trajectory has been less restrictive on businesses located in the UDA and he thinks that this is what the County needs to do. He noted that attracting “interstate business is where it is at” as we are selling the County in an effort to attract traveler revenues.

Mr. Clinton also stated that he agrees with the proposal to allow two rows of vehicular parking in front of a business. He questioned if the County wants the developer of a parcel to

fund construction of sidewalks located at the front of their property. Mr. Clinton stated that the stakeholders meetings are a good idea but “we are all in an ivory tower” and these are abstract standards. He noted that there is currently no developer talking to the staff about adding development in a particular area.

Mr. Clinton further noted that more visceral/dedicated discussions are needed with the development community who should be asked to “look hard” at these proposed standards.

Mrs. Pendleton stated that there were several local developers and engineers on the stakeholders committee. She noted that additional meetings, including some with out-of-state developers and the County’s economic development staff, are planned. Mrs. Pendleton noted that conceptual site plans for the UDA are being developed for use during these meetings.

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

Mr. Michael Lockaby, County Attorney, then conducted a review of the Freedom of Information Act’s (FOIA) provisions. Mr. Lockaby stated that as of July 1, 2019, the Virginia General Assembly requires Board of Supervisors’ members to receive FOIA training every two years so he has developed this PowerPoint presentation on the Act’s provisions.

Mr. Lockaby stated that FOIA regulations cover which records public entities are required to hand out to the public, which are exempt from public disclosure, how to conduct public meetings, and meeting notice requirements. He also noted that the State has a records retention act which covers which public records must be kept and for how long.

Mr. Lockaby stated that a public record is anything that is written or recorded in any way that relates to the “transaction of public business” whether it be a note, voice mail, memo, e-mail, electronic calendar entry, etc. He noted that there is no definition in the State Code for the term “transaction of public business.”

Mr. Lockaby stated that a FOIA request is any request for a public record whether in writing or not. He noted that the County can require the requestor to provide their name/address in the event that more-specific questions about the request are necessary and can also require that the request be in writing to ensure the accuracy of the requested item/document. Mr. Lockaby noted that FOIA is a privilege.

Mr. Lockaby stated that the County must respond to a FOIA request, even if there is no information available on the requested matter. He noted that regulations require a response within 5 business days and, if the request is large/difficult to pull together, the County can request an additional 7 days to respond. He noted that, if the response still cannot be completed, and the requester will not agree to a further extension, the County can ask the General District Court Judge for additional time to gather the requested information.

Mr. Lockaby noted that the County may charge the actual costs, or a reasonable approximation, of fulfilling the FOIA request. He further noted that these actual costs for the time spent by the employee/FOIA Officer to search for and copy the material include the cost of materials and salaries of those people who did the work. He noted that overhead, employee benefits, and legal fees cannot be included in the cost of fulfilling the request.

He stated that the County’s FOIA Officers, Susan Fain and Cody Sexton, receive the request; ensure that they understand the request, including contacting the requester, if necessary; they calendar the 5 business day response time; contact relevant staff to pull the documents together and estimate the cost/time. He stated that, if an additional 7 days or a deposit is needed, the FOIA Officer also contacts the requester on these matters; liaises with the County

Attorney on any interpretation issues; determines if any exclusions are applicable, redacts any documents; and responds to the requester.

Mr. Lockaby noted that the County is very good about responding to FOIA requests in a timely manner and it is rare that a motion has to be filed in District Court to request additional time beyond the maximum 12 day FOIA response period. Mr. Lockaby stated that FOIA is liberally construed in favor of disclosure of public documents; however, there are 3 – 4 dozen exclusions in the State Code of which only 7 – 8 are frequently used. He noted that these exclusions include personnel records, legal advice, property appraisal information that occurred during land acquisition negotiations, proprietary information of businesses/industries interested in locating in the County, confidential information related to a public contract or negotiations under the Public Private Education Act's provisions, executive working papers, and memos prepared only for use in closed session.

Mr. Lockaby stated that a public meeting is defined as an occurrence where there are three or more members of a public body meeting/discussing/transacting public business. He noted that appropriate notice of the meeting must be given at least 3 days prior and be posted on the County website; in a "prominent location," which is usually the front of the Circuit Court-house; and in the County Administrator's Office. Mr. Lockaby further noted that notice of emergency, special, and continued meetings must be given to the press simultaneously to the notification being sent to the public body's members. He noted that agendas and agenda packages for the meeting must be made available to the public simultaneously to the members of the public body.

After discussion, Mr. Lockaby stated that notices of special or emergency meetings must be "reasonable under the circumstances," which the FOIA Council has defined as 3 days prior unless there is a very good reason for a shorter notice period. He stated that some types of actions require more than 3 days' notice and also require an advertised public hearing. He gave examples including sale of County property/real estate which requires a 1 week advertisement in a local newspaper; rezoning/Special Exceptions Permit/Comprehensive Plan amendments require advertisement two weeks prior to the hearing as well as notification of adjacent property owners; adoption of the tax rate and budget which requires a one week advertisement for a public hearing and then the Board must wait 7 days after the hearing to take action/adopt the budget/tax rates.

Mr. Lockaby stated that public meetings must be held in an Americans with Disabilities Act (ADA)-accessible space, the media must be allowed into the meeting, and taping/photographing the events are permitted. He noted that a public meeting is a "limited public forum" which means that the public is allowed to speak on any topic but only at designated times and places, subject to rules/time limits set by the public body, comments must be germane, and personal ad hominem attacks are not allowed.

Mr. Lockaby stated that closed sessions by public bodies should be the exception, not the rule. He stated that a motion to go into closed session must identify the reason, subject matter, and the State Code statutory exemption subsection number. He noted that common reasons for closed sessions include matters pertaining to specific personnel, consultations with legal counsel, unannounced economic development prospects, public/PPEA contracts, and acquisition/sale of real estate when public discussions would compromise negotiations.

He noted that upon conclusion every closed session must be certified by the public body that only those topics mentioned in the closed session motion were discussed/considered and the motion's vote must be by roll call of the individual members. Mr. Lockaby stated that

enforcement of FOIA is by citizen lawsuit, injunction or mandamus, and the petitioner, if successful, usually receives compensation for their attorney's fees.

After discussion, Mr. Lockaby stated that, if the County violates the FOIA provisions, there are civil penalties and, as of July 1, 2019, any person who destroys documents to avoid responding to a FOIA request will be required to pay a personal civil penalty of \$100 per page and the public body will be fined an additional \$1,000 for willful and knowing violations of closed meeting rules.

He noted that FOIA Officers are required to have annual training conducted by either the locality's legal counsel or the Virginia FOIA Advisory Council. Mr. Lockaby stated that he, as County Attorney, can advise all County departments and elected officials, including constitutional officers, on the FOIA provisions upon request. He further stated that there are new requirements that all elected officials must take FOIA training courses upon being newly elected and every two years thereafter.

After questioning by Mr. Clinton, Mr. Lockaby stated that the FOIA Advisory Council is a State agency appointed by the Virginia General Assembly. He noted that the Council makes advisory recommendations/opinions on any public/citizen requests received, evaluates proposed State legislation regarding FOIA, and advises the General Assembly on ways to improve FOIA.

Mr. Clinton stated that the County needs to protect its public information. He noted that "we can be in complete and total compliance but there is a potential for harm."

Mr. Lockaby stated that protecting/retaining public information is a management issue. He noted that the County controls what its employees and the Board have in front of them to deal with issues pertaining to public records. Mr. Lockaby reminded the Board that, if a discussion on a public topic is handled via e-mail, then those messages can be obtained through a FOIA request.

Mr. Clinton then questioned if it is necessary for the Board to discuss certain topics in closed session.

Mr. Lockaby stated that the County uses closed sessions more frequently than his other local government clients; however, closed sessions allow staff to have frank discussions with the Board members on personnel, economic development, legal, etc., topics. He noted that "it is a delicate balance" and the Board is trying to be very intentional in their efforts to find this balance.

There being no further discussion, the Board thanked Mr. Lockaby for this presentation.

Ms. Kate Lawrence with the Botetourt County Cooperative Extension Service then introduced Mr. Tyler Painter to the Board. She noted that Mr. Painter is the County's new 4-H Agent who was hired to fill the position previously held by Katherine Carter. Ms. Lawrence noted that Mr. Painter was born in the County, graduated from Lord Botetourt High School, and has been working as an Extension Agent in Floyd County for the past 7 years.

The Board welcomed Mr. Painter to the County.

Mr. Painter thanked the Board for their welcome. Mr. Painter stated that he appreciates the opportunity to work in the County and is excited to be back home. Mr. Painter noted that he has talked to the County Administrator about various agriculture-related items and he is conducting a resume-building class at James River High School next week as part of a soft-skills learning opportunity.

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were 3 transfers for the Board's consideration this month, including funds for the purchase of a used squad truck for Buchanan Fire and Rescue and \$50,000 for the Sestercentennial Committee Fund for expenses related to the County's 250th anniversary celebration.

Mr. Zerrilla stated that there are 11 pass-through appropriations and two regular appropriations for miscellaneous receipts, State grant funds, and reimbursements for the Board's consideration.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the following transfers and appropriations. (Resolution Number 19-04-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$737.58 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:

\$199.91	General Svces.–Repair & Maint.–Veh., 100-4040000-40000-3312
\$ 85.01	Comm. Devel.–Repair & Maint.–Veh., 100-4081200--81200-3312
\$125.26	Animal Cont.-Veh. & Power Equip Sup., 100-4035100-35100-6009
\$168.21	Rec. & Facil.-Veh. & Power Equip. Sup., 100-4071100-71100-6009
\$ 39.47	Van Program–Repair & Maint.–Veh., 100-4071500-71500-3312
\$ 10.46	Maintenance–Repair & Maint.-Vehicles, 100-4043000-43000-3312
\$ 92.83	Fire & EMS–Repair & Maint. – Vehicles, 100-4035500-35500-3312
\$ 16.43	Dep. Co. Admin – Rep & Maint.-Veh., 100-4012120-12120-3312

Transfer \$25,000.00 from the Buchanan Fire & EMS Contributions Fund-Fund 235 to the General Fund – Fund 100, Undesignated Fund Balance. These funds will be applied toward the purchase of a used squad truck for Buchanan Fire and Rescue (see appropriation #12).

Transfer \$50,000.00 from General Fund – Fund 100 - Undesignated Fund Balance to Fund 250 – Sestercentennial Committee Fund. These funds will be used toward expenditures relating to the celebration of the County's 250th anniversary (see appropriation #13).

Additional appropriation in the amount of \$23,116.00 to Recreation and Facilities – Education & Recreation Supplies, 100-4071100-71100-6013. These are fees collected from recreation youth programs participants for the purchase of uniforms by the County.

Additional appropriation in the amount of \$740.09 to Animal Control – Professional Services, 100-4035100-35100-3100. These are Animal Friendly Grant funds received from the State to be passed through to the spay/neuter service provider (RVSPCA) for the regional animal shelter (RCACP).

Additional appropriation in the amount of \$2,234.87 Children's Services Act – Professional Services, 100-4053500-53500-3100. This is a reimbursement of expenditures.

Additional appropriation in the amount of \$7,900.01 to Fire & EMS – Capital Outlay – Motor Vehicle/Equipment, 100-4035500-35500-8005. These are payments from the Town of Buchanan for the purchase of an ATV and trailer for the Buchanan Fire Department.

Additional appropriation in the amount of \$1,091.99 to Fire & EMS – Uniforms, 100-4035500-35500-6011. This is a refund from a duplicate payment.

Additional appropriation in the amount of \$100.00 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. This is a contribution from Frances Wilmoth.

Additional appropriation in the amount of \$891.53 to the following Correction and Detention Department accounts: \$315.00 to Uniforms, 100-4033100-33100-6011; and \$576.53 to Medical and Lab Supplies, 100-4033100-33100-6004. The former is for contract payments and the latter is for reimbursement funds for medical and laboratory supplies costs.

Additional appropriation in the amount of \$131.00 to the following Sheriff's Department accounts: \$46.00 to Uniforms, 100-4031200-31200-6011; and \$85.00 to Anti-Drug Education, 100-4031200-31200-5860. The former is for contract payments and the latter is for the sale of a donated vehicle.

Additional appropriation in the amount of \$537.46 to the following Sheriff's Department accounts: \$60.97 to Overtime Wages, 100-4031200-31200-1200; and \$476.49 to Repair & Maintenance – Equipment, 100-4031200-31200-3311. Both items are from restitution proceeds.

Additional appropriation in the amount of \$4,324.39 to the following Sheriff's Department accounts: \$4,023.39 to Subsistence & Lodging, 100-4031200-31200-5530; and \$301.00 to Firing Range Expenses, 100-4031200-31200-6015. The former is for reimbursed extradition costs and the latter is for scrap metal sales.

Additional appropriation in the amount of \$1,045.59 to the following Sheriff's Department accounts: \$1,025.59 to Vehicle Supplies, 100-4031200-31200-6009; and \$20.00 to Other Operating Supplies, 100-4031200-31200-6014. The former is for reimbursement of extradition costs, and the latter is for a solicitor's permit.

Additional appropriation in the amount of \$25,000.00 to Fire & EMS – Capital Outlay – Motor Vehicle/Equipment, 100-4035500-35500-8005. This is the appropriation of funds from Transfer #2 for the purchase of a used squad truck for Buchanan Fire and EMS. It will be combined with last month's \$100,000.00 appropriation from the Undesignated Fund Balance.

Additional appropriation in the amount of \$50,000.00 to Sestercentennial Committee Fund – Sestercentennial Committee Expenditures, 250-5003307-00000-0000-000. This is the appropriation of funds from Transfer #3 for projected costs associated with the celebration of the 250th anniversary of the County's founding.

Consideration was then held on approval of the accounts payable and ratification of the Short Accounts Payable List.

Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$969,223.28. He noted that this month's large expenditures included \$55,848 to Know Ink for the purchase of 35 electronic pollbooks for the Electoral Board/Registrar; \$23,981 to Wampler-Eanes Appraisal Group for work on the reassessment; \$37,549 to Visit Virginia's Blue Ridge as the County's quarterly budget allocation; and \$48,620 to Tyler Technologies, Inc., for tax software.

After questioning by Dr. Bailey, Mr. Zerrilla stated that the reassessment is funded on a two-year cycle and revenues from the reassessment will be realized by the County in the FY 21 budget.

There being no further discussion, on motion by Dr. Bailey, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the accounts payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 19-04-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request for advertisement of a public hearing on proposed amendments to Chapter 24. Water, Sewers and Sewage Disposal of the Botetourt

County Code to provide exemptions for mandatory water and sewer connections for certain properties. Mrs. Nicole Pendleton, Director of Community Development, stated that Sections 24-204 and 206 of the County Code require mandatory connections to existing Western Virginia Water Authority (WVWA) water and sewer lines if the property is located within 300' of any street, alley, or right-of-way in which a main is located. She stated that the ordinance currently does not provide an exemption to this requirement.

Mrs. Pendleton stated that a building permit was recently submitted from a property owner in Coyner Springs for a new residence on 15 acres, located in the Agricultural A-1 zoning district, that is located over 1,500' from the closest VDOT right-of-way. She noted that both public water and sewer lines are located within 300' of the property.

She stated that County staff have discussed this issue with the WVWA and their policy is to defer decisions on these types of unique conditions to the local building official or local plan review agency. Mrs. Pendleton stated that staff realizes that, from time to time, there would be uncommon issues similar to this situation and have worked with the County Attorney to draft amendments to Sections 24-204 and 206 which would designate conditions for an exemption to the mandatory water/sewer connection requirements.

Mrs. Pendleton stated that these conditions include the property being larger than 15 acres and located in the Agricultural or Forest Conservation districts, the proposed residence would be located over 500' from any street, alley, easement, or right-of-way on which a WVWA-owned water/sewer main is located, and, the owner would have to present a valid, approved well/septic system permit from the Health Department with the building permit application.

After discussion, Mrs. Pendleton requested that these amendments be advertised for public hearing at the Board's May regular meeting.

There being no discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized staff to schedule a public hearing for the May regular meeting on proposed text amendments to Chapter 24. Water, Sewers, and Sewage Disposal of the Botetourt County Code to provide exemptions for mandatory water and sewer connections for certain properties. (Resolution Number 19-04-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. David Moorman, Deputy County Administrator, noted that Ms. Jaime Duval, Eagle Rock Branch Librarian, was present to give an update on the Library system's activities. He noted that Ms. Rhonda Bandy, Fincastle Branch Librarian, and Ms. Heather McIntosh, Blue Ridge Branch Librarian, were also present at the meeting.

Ms. Duval stated that the Library system's staff are working together and proceeding with their regular activities upon the recent retirement of long-time Library Director Steve Vest. She noted that the Blue Ridge Library has started a new book club and they recently purchased a new collection of large-print books for children. She noted that it has been found that children with dyslexia and reading comprehension issues grasp a story better if it is in a larger type size.

She stated that the Buchanan Library is conducting a book sale this Friday/Saturday and proceeds from the sale will be given to the Friends of the Library. Ms. Duval stated that the Fincastle Library conducted its first Earth Day celebration yesterday in cooperation with the Mount Castles Soil and Water Conservation District and approximately 50 people were in attendance.

Ms. Duval noted that Fincastle is also preparing for their upcoming arts and crafts fair which will have items for sale that were created by 14 – 20 year olds.

At the Eagle Rock Library, Ms. Duval stated that they began a seed library program last year and area residents checked out 65 packets of seeds. She noted that 30 packets of seeds were checked back in after the growing season. She stated that they have worked with the Eagle Rock Elementary School's Ecology Club and are planning a plant sale on May 11. Ms. Duval stated that the Library has also expanded their gardening section to have all gardening materials located in one area and are planning gardening workshops in the future.

Ms. Duval stated that the summer reading program's theme this year is "It's show time at your library." She noted that they have raised over \$1,500 to purchase gifts for the program's participants and there will be a kick-off event at the Troutville Town Park on June 1.

Regarding their development of outreach programs since the bookmobile's schedule was reduced, Ms. Duval stated that they have scheduled pop-up story times at the Hollins Mobile Home Park and various preschools and will add a Daleville Town Center location this year. She noted that story times were also conducted at the YMCA; however, the DTC site was added as only members are allowed into the YMCA.

Mr. Martin stated that the Board appreciates everything that the Library System is doing.

Dr. Scothorn then discuss the visual field range of children and noted that a larger type size in reading materials may keep their attention on the page. He noted that CCTV can also be used to help children with dyslexia and reading comprehension issues to read better and retain what they have read.

Ms. Duval stated that they will look into this option.

There being no further discussion, the Board thanked Ms. Duval for this report.

Consideration was then held on various appointments.

On motion by Mr. Martin, seconded by Mr. Sloan, and carried by the following recorded vote, the Board reappointed Mrs. Erin Henderson as the County's citizen representative on the Roanoke Valley/Alleghany Regional Commission for a three year term to expire on June 30, 2022. (Resolution Number 19-04-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

It was noted that the Valley District representative on the Board of Social Services has resigned effective June 30, 2019.

Mrs. Susan Goad, Director of Social Services, noted that they are still working to find someone to fill this position.

It was requested that this appointment be tabled until the May Board meeting.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the meeting was adjourned at 5:14 P. M. (Resolution Number 19-04-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None