

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, April 25, 2017, 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
Mr. Todd L. Dodson, Vice-Chairman
Mr. John B. Williamson, III
Dr. Donald M. Scothorn
Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:47 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 regarding specific individuals; 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 or negotiating strategy of the public body; discussion concerning a prospective business or industry or the expansion of an existing 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; and consultation with legal counsel regarding specific legal matters as per Section 2.2-3711A (1), (3), (5), and (7) of the Code of Virginia of 1950, as amended. (Resolution Number 17-04-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

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

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board returned to regular session from Closed Session and adopted the following resolution by roll-call vote. (Resolution Number 17-04-02)

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

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 and asked for a moment of silence.

Mr. Dodson then led the group in reciting the pledge of allegiance.

Mr. Leffel then asked Mr. Steve Vest, Library Director, and Mrs. Paige Ware, Fincastle Branch Librarian, to come forward. Mr. Leffel noted that Mrs. Ware had retired at the end of March after 39 years of employment with the County.

Mr. Leffel then read the following proclamation which had been framed for presentation to Mrs. Ware:

WHEREAS, Paige W. Ware was employed by the County of Botetourt from July 1, 1978 until March 31, 2017; and,

WHEREAS, Mrs. Ware provided the citizens of the County with excellent bookmobile service from 1979 until 2017 and served with distinction as the Branch Librarian for the Fincastle Branch Library from 1988 until 2017; and,

WHEREAS, during Mrs. Ware's tenure, she played an integral part in the library's migration from a manual system to a fully automated system, contributed significantly to the library's membership in the Roanoke Valley Libraries consortium including service on the Circulation Committee, guided the Fincastle Library through a complete remodeling and expansion project in 2003, designed replacements for the original bookmobile in 1989 and a later vehicle in 2004, and offered outstanding leadership for the Fincastle Branch and the library system as a whole; and,

WHEREAS, Mrs. Ware has decided to retire after 39 years of service to the County of Botetourt; and,

WHEREAS, Mrs. Ware's many years of dedicated service to the citizens of Botetourt County leaves a record that will be hard to equal and she will be greatly missed by both library patrons and staff;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Botetourt County, on its own behalf and on behalf of the citizens of the County, extends its appreciation and gratitude for Mrs. Paige W. Ware's dedication and commitment over the past 39 years in helping Botetourt County grow and progress.

FURTHER, the Board wishes Mrs. Ware all the best in her retirement.

Mr. Vest stated that he has worked with Mrs. Ware for 31 years. He noted that it has been a joy and he wishes her all the best in the future.

Mrs. Ware thanked the Board for the proclamation. Mrs. Ware stated that she had 39 wonderful years in Botetourt County and thanked the County for all of their support. Mrs. Ware also stated that she appreciated the presentation of this proclamation. She further noted that she hopes that whomever fills her position does a good job.

Mrs. Leffel also presented Mrs. Ware with a County watch. She thanked Mr. Leffel for the gift.

Mr. Vest then introduced Ms. Angela Veldhuizen to the Board. He noted that she was recently hired as an assistant at the Buchanan Library. Mr. Vest stated that she graduated from James River High School, previously worked for the Glasgow Public Library in Rockbridge County and recently moved back to Virginia from Texas. He noted that she has also worked in the retail industry and in several volunteer positions.

Mrs. Veldhuizen stated that she is glad to meet the Board and thanked the County for the opportunity to work at the Buchanan Library. She noted that the staff and patrons have been great to work with. Mrs. Veldhuizen stated that she is rediscovering the community and a lot of great things have happened while she has been away.

Mr. Leffel thanked Mrs. Veldhuizen for her comments and the Board welcomed her to employment with Botetourt County.

Mr. Larrowe then noted that the County was recently notified that Mr. Tony Zerrilla, Director of Finance, had received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the twelfth year.

The Board congratulated Mr. Zerrilla for his receipt of this award.

Mr. Zerrilla thanked the Board and noted that putting together the County's audit each year is a team effort.

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

Mr. Martin then introduced Ms. Susan Goad to the Board. He noted that she was recently hired as the new Director of Social Services. He noted that Ms. Goad previously worked for the Roanoke County Department of Social Services in their benefit and service programs. Mr. Martin stated that she is a native of Baltimore, Maryland, and has lived in Virginia since 1998.

Mr. Martin stated that Ms. Goad began her career at Blue Ridge Behavioral Healthcare, in 2004 she obtained her Bachelors of Social Work degree and in 2011 she obtained a Masters in Social Work degree from Radford University. He noted that she has also served on the Domestic Violence Fatality Review Committee for Roanoke County, Salem, Roanoke City, and Vinton, and worked with Roanoke City's Social Services Department in co-partnering a community meeting regarding regional substance abuse issues and its impact on child welfare systems. Mr. Martin stated that she was also recently trained as a Lean Practitioner through Virginia Tech. He noted that this program is a management tool to learn methods and techniques for streamlining the workplace to improve efficiency.

Mr. Martin stated that he wishes her a long and happy relationship with and career in Botetourt County.

Ms. Goad stated that she has done a lot of work in Roanoke County and the community as a whole and hopes to bring her knowledge of these issues to Botetourt County. She noted that everyone has been welcoming and she looks forward to working with the Board in the future.

The Board welcomed her to Botetourt County.

There being no discussion, on motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution number 17-04-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on March 28, 2017;

Approval of minutes of the budget work session held on April 3, 2017;

Approval of minutes of the budget public hearing held on April 18, 2017;

Approval of the following transfers and additional appropriations:

Transfer \$744.98 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:

\$ 23.17 General Svces.–Repair & Maint. – Veh., 100-4040000-40000-3312
 \$ 38.56 Comm. Devel.–Repair & Maint. – Veh., 100-4081200--81200-3312
 \$368.65 Animal Cont.-Veh. & Power Equip. Sup., 100-4035100-35100-6009
 \$163.24 Parks & Rec.–Veh. & Power Equip. Sup., 100-4071100-71100-6009
 \$ 31.58 Van Program–Repair & Maint. – Vehicles, 100-4071500-71500-3312
 \$ 16.30 Eco. Devel.–Repair & Maint.-Vehicles, 100-4081500-81500-3312
 \$ 52.09 Fire & EMS–Repair & Maint. – Vehicles, 100-4035500-35500-3312

\$ 14.17 Dep. Co. Admin. – Rep & Maint.-Vehicles, 100-4012120-12120-3312
 \$ 37.22 Library-Repair & Maint.-Vehicles, 100-4073100-73100-3312,

Additional appropriation in the amount of \$2,563.50 to Clerk of Circuit Court – Maintenance Contracts, 100-4021600-21600-3320. These are State funds being used to pay for records management maintenance expenses.

Additional appropriation in the amount of \$262,691.57 to CIP - VDOT Revenue Sharing Program, 100-3240910. These are funds received from the Commonwealth of Virginia for the Blue Ridge Turnpike project.

Additional appropriation in the amount of \$1,330 to Volunteer Fire & Rescue – Part-Time Wages, 100-4032200-32200-1300. These are funds received from Carilion Clinic for precept services provided by County personnel at Jefferson College of Health & Sciences.

Additional appropriation in the amount of \$8,232.38 to Sheriff's Department – DMV Salaries, 100-4031200-31200-1800. These are DMV Grant funds received from the State relating to alcohol education and prevention initiatives.

Additional appropriation in the amount of \$1,827.14 to Correction & Detention various accounts, 100-4033100-33100. These funds received were for contract payments and reimbursement of medical costs for Craig County inmates.

Additional appropriation in the amount of \$1,457.97 to Sheriff's Department – various accounts, 100-4031200-31200. These are reimbursement funds received from the State for extradition expenses.

Additional appropriation in the amount of \$1,614.75 to the following Sheriff's Department accounts: \$1,500.00 to Overtime, 100-4031200-31200-1500; and \$114.75 to FICA, 100-4031200-31200-2100. These are recovered costs for providing police services for playoff basketball games for James River High School.

Additional appropriation in the amount of \$651.63 to Sheriff's Department – various accounts, 100-4031200-31200. These funds are for the receipt of miscellaneous funds regarding contract payments, permits, and the sale of brass casings.

Additional appropriation in the amount of \$76,000 to Children's Services – Professional Services, 100-4053500-53500-3100. This represents the approximate County share of the local match for the State supplemental funding for mandated services for at-risk youths under the Children's Services Act. The State supplemental funding appropriation will be requested in May and June;

Approval of Accounts Payable and ratification of the Short Accounts Payable List;

Approval of a Lease Agreement with the Town of Troutville for space in the Troutville Town Hall to be used by County fire/EMS personnel and authorization for the County Administrator to sign the document on the County's behalf;

Approval of Noise Ordinance variance for a Relay for Life event on May 19, 2017, from 5 – 11PM at Daleville Town Center; and

Approval of proclamation declaring May as Business Appreciation Month.

Consideration was then held on approval of the 2017 tax rate resolution and the FY 17-18 County and Schools budget. Mr. Tony Zerrilla, Director of Finance, stated that the required public hearings on the proposed FY 18 budget and tax rates were held on April 18. He noted that no citizens spoke at these hearings.

Mr. Zerrilla stated that all figures in the resolution included in the Board's agenda packet remain as advertised. He noted that the total budget is \$95.1 million which includes a designated tax rate of 99¢ per \$100 valuation for wind farms.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the Contingency line item amount is \$177,338.

Mr. Williamson stated that he thought that this was a good budget process and the staff did a great job in developing the FY 18 budget.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the tax rate resolution for 2017 and the FY 2017-18 budget approval resolution as follows:

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 17-04-04

WHEREAS, the County proposed tax levy was duly advertised and a public hearing was held on April 18, 2017, in accordance with the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the tax rates per \$100 of assessed value for tax year 2017 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 18, 2017, in accordance with the Code of Virginia,

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County budget for Fiscal Year 2017 – 2018 is:

Revenues:

General Fund Revenues:

Local	50,418,272
State	10,896,070
Federal	882,800
<i>Total General Fund Revenues</i>	62,197,142

School Fund Revenues:

Other	1,422,284
State	24,629,482
Federal	40,000
Self-Sustaining Funds	3,197,602
School Nutrition Fund	1,776,000
Textbook Funds	1,550,000
Capital Reserve Fund	310,000
<i>Total School Fund Revenues</i>	32,925,368

Total Revenues

95,122,510

Expenditures:

General Fund Expenditures:

Operations as detailed on following pages*	30,635,427
Capital Projects	1,810,000
Transfer to EDA	1,850,000
<i>Total General Fund Expenditures</i>	34,295,427

Debt Fund Expenditures:	
County/VPSA Fund	2,808,318
School Literary Fund	716,777
<i>Total Debt Fund Expenditures</i>	3,525,095
Contingency	177,338
School Operating Fund Expenditures:	57,124,650
Total Expenditures	95,122,510

* OPERATIONS DETAIL:

BOARD OF SUPERVISORS	239,891
COUNTY ADMINISTRATOR	373,230
DEPUTY ADMINISTRATOR	365,524
COMMISSIONER OF REVENUE	403,456
TREASURER	484,056
FINANCIAL SERVICES	349,329
TECHNOLOGY SERVICES	901,523
CENTRAL PURCHASING	94,794
CENTRAL GARAGE	87,155
ELECTORAL BOARD / REGISTRAR	263,234
CIRCUIT COURT	61,471
GENERAL DISTRICT COURT	25,599
MAGISTRATE	967
CLERK OF CIRCUIT COURT	647,890
COMMONWEALTH'S ATTORNEY	767,582
SHERIFF	4,940,168
DISPATCH	873,245
VOLUNTEER FIRE & RESCUE	1,183,689
CORRECTION & DETENTION	4,251,942
JUVENILE DETENTION CENTER	90,000
PROBATION OFFICE	4,701
ANIMAL CONTROL	597,454
FIRE & EMS	3,565,443
EMERGENCY COMMUNICATIONS	283,971
GENERAL SERVICES	328,956
DIVISION OF WASTE MANAGEMENT	746,525
MAINTENANCE OF BUILDINGS & GROUNDS	777,008
LOCAL HEALTH DEPARTMENT	329,252
MENTAL HEALTH SERVICES BOARD	38,743
SOCIAL SERVICES	1,355,234
CHILDREN'S SERVICES ACT (CSA)	1,402,977
TOTAL ACTION FOR PROGRESS (TAP)	1,000
BRAIN INJURY SERVICES	2,500
CHILD HEALTH INVESTMENT PARTNERSHIP (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 PROGRAM	5,000
VIRGINIA WESTERN COMM. COLLEGE - CCAP PROGRAM	30,000
BOTETOURT COUNTY FFA ALUMNI	1,000
RECREATION & FACILITIES	1,276,262

BOTETOURT SPORTS COMPLEX	417,201
VAN PROGRAM	62,655
ROANOKE VALLEY TRANSPORTATION PLANNING ORG.	2,688
VIRGINIA'S BLUE RIDGE	160,826
ROANOKE VALLEY BROADBAND AUTHORITY	5,000
ROANOKE VALLEY GREENWAY COMMISSION	14,420
BOTETOURT COUNTY MUSEUM/HISTORICAL SOCIETY	9,000
WESTERN VA REGIONAL INDUSTRIAL FACILITIES AUTH.	6,101
LIBRARY	1,098,566
COMMUNITY DEVELOPMENT	832,867
ECONOMIC DEVELOPMENT	413,743
PLANNING DISTRICT COMMISSION	31,812
ECONOMIC DEVELOPMENT PARTNERSHIP	69,317
ATTIC PRODUCTIONS	7,000
STANDING ROOM ONLY	7,000
WESTERN VA. EMS COUNCIL	6,722
ENVIRONMENTAL MANAGEMENT	19,155
COOPERATIVE EXTENSION PROGRAM	64,443
PERSONNEL COMPENSATION ADJUSTMENTS	175,000
WELLNESS PROGRAM	55,000
GENERAL FUND EXPENDITURES - OPERATIONS	30,635,427

Consideration was then held on approval of a revised Emergency Operations Plan.

Mr. Daniel Murray, Firefighter/EMT and a Certified Emergency Planner, and Battalion Chief David Firestone, were present to speak regarding this matter.

Mr. Murray then gave a PowerPoint presentation on the EOP. He stated that "emergency management" is defined as "the discipline of dealing with and avoiding risks, particularly those that have catastrophic consequences for communities, regions, or entire countries. It is the dynamic process of preparing for, mitigating against, responding to and recovering from an emergency." He stated that the EOP is reviewed each year and is required to be readopted by the Board of Supervisors every four years.

Mr. Murray stated that "everyone in the County is a player in this process" as each department, employee, and volunteer has a role; it is not just a fire/EMS function. He then reviewed the structure of the County's Emergency Management program--the County Administrator is the Emergency Management Director; the Fire/EMS Chief is the Emergency Management Coordinator, the on-duty Battalion Chiefs serve as Deputy Coordinators; and the Emergency Management Team which helps to write plans, ensures readiness of plans, and fills in various capacities as needed.

Mr. Murray stated that the EOP is considered the emergency services "playbook" for emergencies and disasters as it provides guidance, is adaptable to handle any type of emergency, and functions based on the position not an individual person. He stated that the EOP consists of the basic plan, emergency support functions, and annexes. Mr. Murray noted that the basic plan provides a general overview of the County and its operations, defines the purpose, scope, elements and assumptions, and assigns basic responsibilities to the Board, County Administrator, and department heads.

He noted that the Board's responsibilities include protecting the lives and property of citizens, establishing the local emergency management program, adopting and promulgating the EOP, and ratifying emergency declarations. Mr. Murray further noted that the County Administrator's responsibilities as Emergency Management Director include ordering evacuations as

needed for an endangered area, exercise direction and coordination during disaster options, and holding overall responsibility for maintaining and updating the EOP.

Mr. Murray stated that the Sheriff's Department dispatch center is the first point of contact for all emergencies; however, when they are overwhelmed, the Emergency Operations Center (EOC) is opened which coordinates and supports resources for field operations.

He noted that an emergency declaration is issued when field resources are overwhelmed and additional resources are needed; the emergency declaration allows county administration and the EOC to use emergency powers to provide support and coordination to field resources and, once the threshold of a disaster is met, federal reimbursement may apply. Mr. Murray further noted that the County has issued several emergency declarations over the past few years for flooding, power outages, snow storms, etc. He noted that the issuance of the emergency declaration "begins the timer on the FEMA funding request."

Mr. Murray stated that the EOP's succession of authority for the Emergency Management Director includes the County Administrator, the Deputy County Administrator, and the Management Assistant and the succession of authority for the Emergency Management Coordinator includes the Chief of Fire/EMS, the on-duty Operations Battalion Chief, and the Battalion Chief of Operations.

After questioning by Mr. Williamson, Mr. Murray stated that, at the current time, the Management Assistant is Mr. Cody Sexton.

Mr. Murray stated that the emergency support functions in the EOP were reviewed and responsibilities were assigned to 17 different County departments.

After discussion, Mr. Murray stated that the EOP's annexes are the working documents in the Plan which provide guidance to emergency support functions on procedures and policies. He stated that there are six annexes which are being requested for adoption by the Board today—Animal Sheltering Annex, Damage Assessment Annex, Family Assistance Center Annex, IFLOWS Annex, Contact List Annex, and Volunteer Management Annex. He noted that the Donations Management Annex and the Debris Management Annex will be further revised and presented to the Board for consideration at a later date.

Mr. Murray stated that major changes to the EOP included the addition of emergency support function # 17, "Volunteer and Donations Management," putting the EOC into a separate Standard Operation Procedures manual, and removing the individual employee names from the position titles in the EOP.

After questioning by Mr. Williamson, Mr. Murray stated that the EOP will be placed on the County's website after it is adopted by the Board of Supervisors.

The Board thanked Mr. Murray for this presentation.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Williamson, and carried by the following recorded vote, the Board adopted the following resolution enacting the County's revised Emergency Operations Plan.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 17-04-05

WHEREAS, the Board of Supervisors of Botetourt County Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, Botetourt County has a responsibility to provide for the safety and well-being of its citizens, businesses, and visitors; and

WHEREAS, Botetourt County has established and appointed the County Administrator as Director of Emergency Management and assigned the Coordinator of Emergency Management position to the Chief of the Department of Fire and EMS,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Botetourt County Virginia, that this Emergency Operations Plan as revised is officially adopted, and

IT IS FUTHER RESOLVED AND ORDERED, that the Director of Emergency Management is tasked and authorized to maintain and revise as necessary this document over the next four (4) year period and at such time be ordered to come before this Board for review.

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 then reviewed the monthly report. He noted that a new item on the report is the painting of the Route 220 bridge over the James River and CSX Railroad south of Iron Gate. He noted that this work should be completed in June. Mr. Hamm stated that there will be lane closures on I-81 between mile markers 149 and 152 on Friday and Saturday nights for removal of concrete slabs. He further noted that there will also be alternating lane closures on I-81 for the James River bridge rehabilitation project near Buchanan from Sunday through Thursday nights. Mr. Hamm further noted that the Route 11 bridge replacement project is proceeding smoothly.

After questioning by Mr. Williamson, Mr. Hamm stated VDoT's contractor is currently working on resurfacing I-81 north of Exit 150; however, he will check on when the section north of mile marker 152 will be resurfaced.

Mr. Hamm noted that VDoT personnel reviewed one land development project permit request and six land use permit requests in the past month. He stated that the area headquarters personnel are preparing some of the County's roads for surface treatment. Mr. Hamm noted that VDoT is also scheduled to do repairs on Route 606 near the Route 11 intersection, in Hunter's Green Subdivision, and on Brugh's Mill Road.

Mr. Hamm further stated that the Buhrman Road Rural Rustic Road (RRR) project was completed last week. He noted that it "looks promising" that funding will be available to complete the McFall's Road RRR project between July 1, 2017 and when winter weather sets in. He further noted that there are several outstanding invoices remaining for the Buhrman Road project but they believe that the overall cost will be approximately one-half of the estimated amount.

After questioning by Mr. Martin, Mr. Hamm stated that Mountain Pass Road is scheduled to be paved this summer.

After questioning by Mr. Williamson, Mr. Hamm noted that he will meet with the paving superintendent tomorrow to discuss the Route 606 and Brugh's Mill Road projects, among others.

Mr. Leffel then requested that VDoT have gravel placed on Clyde's Run (Route 697).

Mr. Hamm stated that he understands that this road is in good shape; however, he will have their staff check its condition again.

Mr. Blevins then stated that it is time for the Board to review the Secondary System Six Year Plan. He noted that the Board held a work session with VDOT personnel late last summer to discuss gravel roads. Mr. Blevins stated that previously staff has held a work session with County staff to review the Plan and then held a work session with the Supervisors before the Plan is advertised for public hearing at either the May or June regular meetings.

Mr. Blevins suggested that the Board's work session be scheduled for the May regular meeting with the public hearing to be advertised for the June meeting. He noted that there are only minor changes to the proposed plan—addition of surface treatment of Stone Coal and White Church Roads under the RRR program.

After discussion by Mr. Williamson, the Board concurred with the proposal to conduct a work session on the proposed FY 2018- 2023 Secondary System Six Year Plan at the May regular meeting with the intention to hold the public hearing at the June Board of Supervisors meeting.

After questioning by Mr. Dodson, Mr. Blevins stated that the Board's request for a corridor study on Route 220 from Greenfield to U. S. Route 460 is still under review for funding. Mr. Blevins stated that he has not recently discussed this project with VDOT's District Planner but will check on this request's status.

Mr. Dodson stated that the Board needs this study conducted as soon as possible in order to be proactive about the development occurring along the Route 220 corridor.

There being no further discussion, the Board thanked Mr. Hamm and Mr. Blevins for their attendance at today's meeting.

Consideration was then held on a resolution of support for a State grant application to assist with development of provisions in the Zoning Ordinance regarding Urban Development Areas (UDAs). Mr. Jerod Myers, Long-Range Planner, stated that the Virginia Office of Intermodal Planning and Investment (OIP) is again offering grant monies of up to \$65,000 for professional planning consultant assistance to establish and support UDA's.

He noted that the Planning Department would like to apply for funds to be used to streamline implementation of the County's Zoning Ordinance regarding the Gateway Crossing UDA. He noted that this project would update the ordinance to respond to growth and development in the Gateway Crossing area and would provide greater control, clarity, and flexibility to staff and developers to achieve the Board's vision for this area's development.

Mr. Myers stated that, if approved today, the application will be submitted within the next two weeks. He noted that no matching funds from the County are required for this grant.

There being no discussion, on motion by Mr. Dodson, seconded by Mr. Martin, and carried by the following recorded vote, the Board expressed their support for the application for State technical assistance grant funds through the Virginia Office of Intermodal Planning and Investment for technical assistance grant funds for consultant services to amend the Zoning Ordinance to realize the goals of the Gateway Crossing Area Plan and UDA designation. (Resolution Number 17-04-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request to advertise for a Planning Commission public hearing on proposed amendments to the Comprehensive Plan to amend the Future Land Use Map for property identified as Tax Map Section 88, Parcels 14 and 14B as well as nearby land. Mrs. Nicole Pendleton, Planning Manager, stated that the Zoning Ordinance allows for owner-initiated requests for amendments to the Comprehensive Plan.

She stated that the County has received a request from Bobby Wampler with Engineering Concepts, Inc., on behalf of Summers Properties, LLC, for the Board to consider a Comp Plan amendment to extend the Medium Density Residential future land use designation north along U. S. Route 220 from Greenfield to Country Club Road. Mrs. Pendleton stated that the purpose of this request is in support of a possible rezoning request for a mixed-residential project on property located near the Route 220/Country Club Road intersection.

Mrs. Pendleton stated that an application and background information from the property owners was included in the Board's information packets and the Planning Department staff has met with the applicants to discuss this proposal. She stated that this area is currently designated in the Comprehensive Plan as rural-low density residential which includes suburban patterns of residential development. Mrs. Pendleton noted that a medium-density residential use is for types of development such as townhomes, apartments, etc.

After questioning by Mr. Williamson, Mrs. Pendleton stated that Tax Map 88, Parcel 14 consists of 48 acres and Parcel 14B consists of 40 acres. After further questioning by Mr. Williamson, Mrs. Pendleton stated that staff estimates that there would be approximately 185 acres in total from Botetourt Center at Greenfield to Country Club Road that would be impacted if this land use designation is changed.

After discussion by Mr. Williamson, Mrs. Pendleton stated that, at this time, Summers Properties is only interested in developing Parcels 88-14 and 14B in phases for a mixed-residential project.

Mr. Dodson stated that currently public sewer for this area does not extend further than Greenfield and the nearest public water service is the private system serving Ashley Plantation.

After questioning by Mr. Williamson regarding modifying the Comp Plan for the area from Greenfield to Country Club Road versus focusing on the two specific parcels mentioned in the Summers Properties request, Mrs. Pendleton stated that, from a planning perspective, she would not encourage "leap frog development."

Mr. Williamson questioned if the Board could designate Parcels 14 and 14B as medium density residential and designate the area between Greenfield and these two parcels as industrial use in the Comp Plan.

Mrs. Pendleton stated that the Board of Supervisors would be responsible for making the final decision on any such request.

Mr. Williamson stated that it "gives him pause" to butt a medium density residential use up against Botetourt Center at Greenfield as it would land lock the industrial park from future expansion possibilities.

Mr. Bobby Wampler with Engineering Concepts stated that his client, Summers Properties, currently owns one of these two tracts and has an option on the other. Mr. Wampler stated that approximately 10 years ago Summers Properties requested that this property be rezoned but the proposal was denied by the Board of Supervisors.

Mr. Wampler stated that the Housing Study and the Housing Summit indicated a need for affordable residential development in the County. He noted that this property is located in

close proximity to Greenfield and its new industries and public infrastructure (sewer/water). He further noted that this proposed use “seems like a strong fit” for this property; however, the Comp Plan does not designate these parcels for medium-density residential uses; thus the reason for today’s request.

After discussion, Mr. Wampler stated that there are no development plans beyond the immediate ownership of these parcels.

After questioning by Mr. Williamson, Mr. Wampler stated that there is no specific timeline for development of these properties for medium-density residential uses.

Mr. Williamson stated that he feels disingenuous over the idea of having a public hearing on this request as it would land lock Greenfield.

Mr. Dodson stated that the Board, Planning Commission, and staff need to take a long-term look at this proposal and not “nickel and dime it” because of these two parcels. He further stated that there is also an infrastructure aspect to this request. Mr. Dodson stated that he is disinclined to move forward with a public hearing on this request at this time.

Mr. Dodson further stated that the County should “take a hard look” as to how development should occur along Route 220 north of Greenfield.

Mr. Leffel stated that from the comments made he understands that the Board members do not want to forward this Comp Plan amendment request to the Planning Commission for a public hearing at this time.

After questioning by Mr. Leffel, Mr. Lockaby stated that, based on the comments made today, the staff is aware of the Board’s perspective on this request and will review the proposal with the Planning Commission with no particular timetable for future consideration.

Consideration was then held on a request from the Botetourt County Historical Society for ownership of the artifacts found during the Greenfield property archaeological survey. Mr. Larrowe stated that the Friends of Greenfield Preston Plantation found between 22 and 25 boxes of artifacts during their archeological survey of the previous locations of the cabin and kitchen on the Greenfield property. He noted that the Botetourt Historical Society (BHS) is requesting that the Supervisors donate these artifacts to the Society where they will be kept in climate-controlled care and made available for research and display in the County.

Mr. Dodson stated that this is a timely request as the County also has artifacts from when the first archaeological study was conducted on Greenfield 20 years ago as well as the old logs to be used to restore the two historical buildings. He noted that the County needs to consider how to move forward in general with all of these historical artifacts and to obtain input from the Virginia Department of Historical Resources (DHR) on how to maintain these items.

Mr. Dodson stated that the County should partner with the Botetourt Historical Society to create a plan for the storage and use of these items and how to move forward with this process with the assistance of the Greenfield Historic Preservation Commission.

Dr. Scothorn then questioned what if DHR says that the County has to display these items outside of the County.

Mr. Leffel suggested that the staff be directed to find out what steps should be taken to begin this process.

Mr. Larrowe stated that the BHS and the GHPC should be asked to develop a plan for the storage and display of these items and how these artifacts would be handled in the future.

Mr. Leffel also noted that the staff should investigate what the State's role would be in handling/displaying these artifacts

After questioning by Mr. Williamson, Mr. Larowe stated that the artifacts discovered during last year's archaeological survey are in storage at Hurt and Proffitt's facility in Lynchburg. He noted that Hurt and Proffitt was the firm hired by the Friends of the Greenfield Preston Plantation to conduct the survey.

Mr. Williamson stated that the BHS should be asked to temporarily store these items for the County while we consider their ultimate disposition.

Mr. Dodson stated that the County has these historical artifacts stored in several locations and a plan on accountability of these items is needed and to also ensure that they are stored appropriately in a climate-controlled environment.

Mr. Williamson stated that the BHS should be asked to store these items temporarily while the County "deals with the broader issue" of the items' future. He noted that the BHS should be permitted to store these items but they cannot take ownership of them at this time.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a request from the Botetourt Historical Society to store the Greenfield historical artifacts in a climate-controlled facility on a temporary basis while the Society works with the County on a longer-term plan for storage and display of these items. (Resolution Number 17-04-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Jim Garner with the Addy Grace Foundation was then present to give a presentation on the proposed Addy Grace All-Abilities Playground. Mr. Garner stated that this is a non-profit organization which has been in operation for 6½ years. He noted that the Foundation is working toward obtaining donations to construct an all-abilities playground on the future YMCA property in Daleville Town Center.

Mr. Garner stated that the estimated cost for this playground is \$750,000 with \$300,000 having been donated to date. He noted that this will be the largest playground in the area and is proposed to contain 62 different pieces of equipment designed in the theme of a farm. He noted that all children no matter their disability will be able to play on this equipment.

Mr. Garner noted that there will be no charge to use the facility which will be maintained by the YMCA once completed. He further noted that work will begin on the playground after the Y is completed in the spring of 2018.

After questioning by Mr. Martin, Mr. Garner stated that the Foundation's members and volunteers have been involved in this fundraising project. He noted that they have received donations and grants for this project and they will continue to contact local businesses for donations.

Mr. Garner stated that 232 footings will need to be dug to secure the playground equipment and a rubber pebble-type surface will be used around and beneath the equipment.

After questioning by Dr. Scothorn, Mr. Garner stated that the equipment has a 7 – 10 year warranty but the Foundation will create an endowment fund to pay for future maintenance of the property.

Mr. Williamson then made comments as a member of the YMCA's Board of Directors. He noted that during their meetings where this playground was discussed the millennials involved in the YMCA seem to be engaged in this playground project. He noted that \$8.3 million has been raised to date for the new YMCA and they hope to be able to break ground for the facility this fall.

Mr. Garner then stated that the nearest playground of this type is in Harrisonburg. He noted that, if the Foundation meets their fundraising goal, they will continue to help the YMCA to meet their funding goal.

After questioning by Mr. Martin, Mr. Garner stated that Addy Grace is his daughter and she has a condition which severely restricts her movements. He noted that she was diagnosed at 6 months of age and is currently 8 years old. Mr. Garner stated that he and his wife developed the concept of a farm-themed playground.

Mr. Martin stated that Mr. Garner is proposing a great thing with this project.

Mr. Williamson stated that the YMCA is a great location for this facility.

Mr. Leffel stated that he has heard from several millennials that this playground is a great idea. He then thanked Mr. Garner for his presentation.

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:20 P. M.

A public hearing was then held on proposed amendments to Chapter 24. Water, Sewers, and Sewage Disposal and Chapter 21. Subdivisions of the Botetourt County Code to bring these ordinances into compliance with the County joining the Western Virginia Water Authority, to conform the ordinances to the statutory language contained in the Code of Virginia, and to establish a bonding committee to assist the subdivision agent in processing the acceptance and release of surety for public improvements in new development.

Mrs. Nicole Pendleton, Planning Manager, stated that as discussed last month amendments to the Water/Sewer and Subdivision Ordinances are needed to bring them into compliance with the County joining the Western Virginia Water Authority (WVWA). She noted that extraneous provisions to the Water/Sewer Ordinance are proposed to be deleted as these responsibilities are now handled through the WVWA with the County only retaining the ordinance's police powers in order to enforce criminal and civil penalty statutes and the bonding requirements for public utilities.

She stated that the bonding portion of this legislation was relocated to the Subdivision Ordinance. She noted that these regulations now propose periodic release of bonds upon request of the owner/contractor as the work is completed, inspected, and approved by the County. Mrs. Pendleton stated that these amendments include provisions that a bonding policy be approved by the Board as well as the creation of a bonding committee consisting of the subdivision agent, the zoning administrator, the county administrator or his designee, the county engineer, and the stormwater administrator or his designee.

After questioning by Mr. Williamson, Mrs. Pendleton stated that she is the County's designated subdivision agent.

After further questioning by Mr. Williamson, Mrs. Pendleton stated that the County would require separate bonds for the water and sewer, roads, and erosion and sediment control

aspects of a project but they would manage the bonds' acceptance and release based on feedback from the WVWA.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the development bond and the erosion and sediment control bond are issued separately.

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

On motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the attached amendments to Chapter 24 Water, Sewers, and Sewage Disposal and to Section 21-106 Posting of Bond of Chapter 21 Subdivisions of the Botetourt County Code to bring the ordinances into compliance with the County joining the Western Virginia Water Authority, to conform the ordinances to the statutory language contained in the Code of Virginia, and to establish a bonding committee to assist the subdivision agent in processing the acceptance and release of surety for public improvements in new development. (Resolution Number 17-04-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held proposed amendments to Chapter 10. Erosion and Sediment Control/Stormwater Management of the Botetourt County Code to remove Article IV. Illicit Discharge Ordinance pertaining to MS4 certification and to add language regarding review of stormwater management plans. Mr. David Givens, Development Services Manager, stated that as discussed last month, the Virginia Department of Environmental Quality (DEQ) terminated the County's Municipal Separate Storm Sewer System (MS4) Permit, upon staff request and review. He noted that DEQ agreed that the County does not own/operate a storm sewer system in the southern, urbanized area of the County; therefore, no MS4 permit was needed.

Mr. Givens stated that the County had adopted Article IV. Illicit Discharge Ordinance in October 2015 as a requirement of the MS4 Permit. He stated that, as this designation has been terminated, the ordinance can be removed from the County Code.

After discussion, Mr. Givens stated that staff also recommends that amendments to Section 10-58. Review of stormwater management plan be reinstated in the ordinance as subsections under this section were inadvertently removed when the E&S ordinance was amended in 2014. Mr. Given stated that this section ensures that all stormwater management systems have a maintenance agreement in effect in perpetuity.

After questioning by Mr. Martin, Mr. Givens stated that, as the County is no longer designated as MS4, all provisions regarding this designation have been removed from the E&S Ordinance.

After questioning by Mr. Williamson, Mr. Givens stated that there have been no comments from the development community regarding these proposed amendments.

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

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following amendments to Chapter 10. Erosion and Sediment Control/Stormwater Management of the Botetourt County Code to remove Article IV. Illicit Discharge Ordinance pertaining to Municipal Separate Storm Sewer System (MS4) certification and

to add language to Section 10-58 Review of stormwater management plan regarding review of stormwater management plans. (Resolution Number 17-04-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

BOTETOURT COUNTY CODE

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CHAPTER 10. EROSION AND SEDIMENT CONTROL; STORMWATER MANAGEMENT

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ARTICLE III. STORMWATER MANAGEMENT

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Sec. 10-1 through 10-57. (Same)

Sec. 10-58. – Review of stormwater management plan.

(a) through (b) (Same)

(c) The administrator shall require the submission of a construction record drawing for permanent stormwater management facilities. **The record drawings should be field surveyed and the submission shall include one (1) digital and one (1) reproducible copy, for all structures within a stormwater management system including but not limited to: detention basin, outlet structures, inlet structures, drainage channels or other means of stormwater conveyance. The stormwater management system shall be certified, upon completion of construction, by a licensed professional as to conformance with the approved plans.** The administrator may elect not to require construction record drawings for stormwater management facilities for which recorded maintenance agreements are not required pursuant to section 10-60(b).

(d) **Proposed storm water management systems which are designed to convey concentrated off-site storm water runoff across the project shall be located within a dedicated drainage easement. Existing or natural channels, which are to be incorporated into the storm water management system, shall likewise be protected by a dedicated drainage easement, having a centerline coinciding with the existing centerline.**

(e) **Proposed control structures, including but not limited to the principal spillway, outlet structures and outlet pipes, for a stormwater management basin shall be located within a fee simple lot dedicated to the owner/home association. The remaining property of the basin shall be located within a dedicated drainage/stormwater management easement.**

(f) **When storm water management systems are located on other than publicly owned property, the applicant shall provide methods, procedures, and guarantees that the facilities will be perpetually maintained so as to function as designed and not result in nuisances or health hazards.**

Sec. 10-59 through 10-67. (Same)

ARTICLE IV. ILLICIT DISCHARGE ORDINANCE (Delete)

Sec. 10-101 through 10-109. (Delete)

A public hearing was then held on an option agreement with Blue Ridge Towers, Inc., to lease space in Blue Ridge Park for the location of a 199' monopole telecommunications tower. Mr. Jason Ferguson, Fire and EMS Battalion Chief, stated that, as discussed last month, the County had received a request from Blue Ridge Towers for an option agreement for a site in Blue Ridge Park to construct a cellular communications tower. He noted that the Code of Virginia requires that the County conduct a public hearing on this request.

Mr. Ferguson stated that this proposal is for a 60' X 60' space for the location of a 199' monopole tower. He noted that the proposed location is on the northern portion of Blue Ridge Park near the tennis courts.

Mr. Ferguson stated that the option agreement is for a period of one year at a fee of \$1,000 with the possibility of a one year extension. He further stated that, should the company exercise the option to lease the property, it would be for a term of five years with six five-year renewal terms with a monthly rent of \$1,250 to be increased 3% annually. Mr. Ferguson stated that, should the company lease space to more than one wireless carrier, the company would pay the County an additional \$250/month for each additional carrier and the County would also be provided space on the tower at no cost for the installation, operation, and maintenance of communications equipment.

It was noted that construction of the tower is anticipated to be this year but would be contingent upon the County granting a Special Exceptions Permit following public hearings and action by the Planning Commission and Board of Supervisors.

After questioning by Mr. Williamson, Mr. Ferguson stated that no input from the public has been received regarding this public hearing. After further questioning by Mr. Williamson, Mr. Ferguson stated that notification letters on this matter were not sent to the adjoining property owners as it is not required for this type of hearing.

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

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board directed the County Administrator to sign the option and lease agreement with Blue Ridge Towers, Inc., to lease space in Blue Ridge Park for the location of a 199' monopole telecommunications tower, subject to review and approval by the County Attorney, contingent upon the application, public hearing, and receipt of a Special Exceptions Permit from the Planning Commission and Board of Supervisors. (Resolution Number 17-04-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on various appointments.

After discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board appointed Mrs. Julia Robinson, 170 Autumnwood Lane, Troutville, as the parent representative on the CPMT to fill an unexpired term which ends on September 1, 2017, and directed staff to send a letter to Mrs. Rebecca Hudson thanking her for her previous service on the CPMT. (Resolution Number 17-04-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Mrs. Susan Goad as the Department of Social Services' representative on the CPMT to fill an unexpired term which ends on September 1, 2018. (Resolution Number 17-04-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of the issuance of a Request for Proposals for School division energy performance contract financing. Mr. Tony Zerrilla, Director of Finance, stated that since last fall the schools have been working with Johnson Controls, Inc., to identify utility cost savings. He noted that the vendor, Energy Savings Company, was contracted to perform an investment-grade audit on all school facilities to determine utility consumption so that energy conservation measures could be considered for implementation.

Mr. Zerrilla stated that these measures produce energy savings that will pay for facility improvements in the form of lighting, HVAC, windows, and building envelope energy enhancements. He noted that the recommended improvements are estimated to cost \$6.3 million, excluding the costs of issuance of the debt, which are estimated to increase the total cost to \$6.8 million.

Mr. Zerrilla stated that a request for proposals for financing of these costs, not to exceed \$6.8 million, is required to be issued by the County. He noted that Davenport and Company, the County's financial advisor, will be responsible for issuing the RFP. Mr. Zerrilla further noted that the RFP will request proposals for two financing options: (1) tax exempt energy performance contract financing which would be in the form of an equipment lease-purchase agreement between the Schools and the selected financing institution, and (2) taxable bonds which would be issued by the Virginia Resources Authority under the VirginiaSAVES Green Community Program and would be secured primarily by lease payments through an agreement between the VRA, the County, and the Schools.

Mr. Zerrilla stated that a financing overview from Davenport and Company and a draft RFP were included in the Board's information packets.

He further stated that, if approved, the RFP will be issued and results brought back before the Board for consideration at their May 23 meeting. He noted that, if authorized, the anticipated closing date would be at the end of June. Mr. Zerrilla stated that Mr. Webster Day will act as the County's bond counsel during this issuance process.

Mr. Zerrilla noted that Mr. Jimmy Lyon, the Schools Director of Administration and Finance, and Mr. John Busher, Superintendent of Schools, were present at the meeting to answer any questions.

Mr. Lyon stated that the school system feels that this process is a way to address these issues and get their building maintenance program "back on track". He noted that there will be a School Board work session on Thursday to discuss these items further. Mr. Lyon noted that construction on these upgrades, including lighting, boiler and HVAC improvements, is expected to begin this summer.

Mr. Lyon stated that the VirginiaSAVES program only has a certain amount of funds remaining and once those monies are gone the program will end. He noted that a formal application has to be submitted to the State to receive these funds and, in order to submit the application, a locality has to have financing in place.

After questioning by Mr. Williamson, Mr. Lyon stated that this application will be considered under the "old rules," not those that went into effect April 1. He noted that the investment-

grade audit has been completed and the County/Schools has obtained a 6 month extension for consideration under the program's old regulations.

Mr. Zerrilla then stated that staff is recommending that the Board authorize the issuance of a RFP for School energy performance contract financing.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the issuance of a request for proposals by Davenport and Company for financing in support of the School Energy Performance Contract. (Resolution Number 17-04-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then adjourned the meeting at 3:48 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:03 P. M.

A public hearing was then held on a request in the Valley District from Larry C. Cecile, Jr., to rezone a 1.17-acre lot from a Business (B-2) Use District to a Rural Residential (RR) Use District, with possible proffered conditions, in order to change the status of the existing single-family dwelling from a nonconforming to a conforming use, therefore, allowing expansions to the house and associated accessory structures, at 61 Sycamore Lane, Cloverdale. Access to the property is located 0.09 miles southeast of the Lee Highway (U. S. Route 11) and 2nd Avenue (Route 1003) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcel 125.

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

Mrs. Nicole Pendleton, Planning Manager, stated that this 1.1 acre parcel is located in Cloverdale. She noted that, prior to purchasing the property, the applicant contacted the County to discuss continued use of the single-family dwelling as a residence and the construction of possible future additions to the structure. Mrs. Pendleton stated that this property is zoned for B-2 use and this residence is considered a non-conforming use. She noted that the Zoning Ordinance does not allow the non-conforming use to continue if any changes/additions are made to the structure; therefore, rezoning of the property is required.

Mrs. Pendleton further stated that 75% of the property is located within the floodplain; however, as per a FEMA letter of map revision, it has been determined that this residence is located outside of the floodplain.

She noted that access to the property would make it challenging for use as a business-related purpose and there are other single family dwellings located in this immediate vicinity.

Mrs. Pendleton then noted that the applicant is not present at this hearing.

Mr. Williamson stated that he has always been reluctant to "give up" a B-2 zoning designation for residential use but due to Mrs. Pendleton's comments it is very unlikely that this property could be used for business purposes.

After questioning by Mr. Dodson, Mrs. Pendleton stated that to the north of this property is the Southern States Warehouse and to the south there is a B-2 zoned property that is also used for residential purposes.

Mr. Chris McMurry, surveyor, stated that there is an antique shop owned by the Sutphins as well as three rental houses in this area. He noted that these properties were not severely impacted during the 1985 flood.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that this rezoning request probably resulted as a condition of the bank approving Mr. Cecile's mortgage for this property's purchase.

Mr. McMurry stated that this request entails tenants (Ceciles) who are purchasing the property who also want to be able to construct a residential garage in front of the home.

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

There being no further discussion, on motion by Dr. Scothorn, 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 17-04-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

LARRY C. CECILE, JR.

In the Valley District to rezone a 1.17-acre lot from a Business (B-2) Use District to a Rural Residential (RR) Use District in order to change the status of the existing single-family dwelling from a nonconforming to a conforming use, therefore, allowing expansions to the house and associated accessory structures, at 61 Sycamore Lane, Cloverdale. Access to the property is located 0.09 miles south-east of the Lee Highway (U. S. Route 11) and 2nd Avenue (Route 1003) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcel 125.

A public hearing was then held on a request in the Buchanan District from Botetourt Funeral Services, LLC, for a Special Exception Permit, with possible conditions, for a Dwelling, Mixed Use to include one residence on the second floor of a commercial building in the Business (B-2) Use District on a 5.046-acre lot adjacent to 14920 Lee Highway (U. S. Route 11), approximately 0.2 miles north of the Lee Highway/Hardbarger Road (Route 636) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 123A.

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

Mr. Jerod Myers, Long-Range Planner, stated that in October 2016 the applicant purchased the adjacent 2.7 acre lot and combined that property with his 2.4 acre parcel into a 5.1 acre lot on which the Botetourt Funeral Home is located. He noted that a FEMA letter of map amendment was issued in 2011 which determined that the proposed building's location is located outside of the 100-year floodplain of Mill Creek.

Mr. Myers stated that the applicants are proposing to construct a two-story mixed use building with the lower level to consist of a reception area for the adjacent funeral home and the second floor to be used for residential purposes.

After questioning by Mr. Williamson, Mr. Chris McMurry, Certified Land Surveyor, stated that the applicant will use the foundation of the former Eubank real estate sales office as the foundation of this two-story building.

Mr. Myers noted that the building will have a metal roof, siding, and stone veneer similar to that of the funeral home. He then read the Planning Commission's recommended condition for this request: "The proposed dwelling, mixed-use structure will substantially conform to the renderings provided in 'Floor Plan/Detail Sheet' and 'Elevation Plan' prepared by Price Buildings, Inc., dated November 28, 2016."

Mr. McMurry stated that he has been working on this project with the applicant for some time. He noted that the applicant spends a lot of time at the business and wanted a residence close by.

After review of the site plan, Mr. Williamson questioned the proposed 40' X 70' storage building. Mr. McMurry stated that this structure will be constructed in the future.

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

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved a request in the Buchanan District from Botetourt Funeral Services, LLC, for a Special Exception Permit for a Dwelling, Mixed Use to include one residence on the second floor of a commercial building in the Business (B-2) Use District on a 5.046-acre lot adjacent to 14920 Lee Highway (U. S. Route 11), approximately 0.2 miles north of the Lee Highway/Hardbarger Road (Route 636) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 123A, with the following condition: (Resolution Number 17-04-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The proposed dwelling, mixed-use structure will substantially conform to the renderings provided in "Floor Plan/Detail Sheet" and "Elevation Plan" prepared by Price Buildings, Inc., dated November 28, 2016.

Public hearings were then held on the following three requests:

- In the Amsterdam District from Fralin & Waldron, Inc., on proposed amendments to Chapter 25. Zoning, Article II. District Regulations Generally, and Article VI. Definitions of the Botetourt County Code to clarify and update language and eliminate conflicting regulations and revise the allowable densities for residential uses within the Traditional Neighborhood (TND) Use District. It was noted that the Planning Commission had recommended approval of this request.
- In the Amsterdam District from Fralin & Waldron, Inc., for a Change of Proffers to remove existing proffered conditions related to a maximum number of multi-family dwelling units within the Daleville Town Center Traditional Neighborhood District and add provisions after the Design Guidelines, as amended March 22, 2016, on a 117.847-acre site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1; 88(9)1; 88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5;

101(21)5A; 101(21)6; 101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; 101(21)12. It was noted that the Planning Commission had recommended approval of this request.

- In the Amsterdam District from Fralin & Waldron, Inc., for a Special Exception Permit, with possible conditions, in the Traditional Neighborhood District (TND) to allow a maximum height of 60 feet for the construction of two (2) multi-family buildings on a 95.38-acre site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcel 33. It was noted that the Planning Commission had recommended conditional approval of this request.

Mrs. Nicole Pendleton, Planning Manager, stated that the first request is to clarify and update language in the Zoning Ordinance, eliminate conflicting regulations, and revise the allowable densities for residential uses in the Traditional Neighborhood District (TND). She noted that the second request is for a change in proffers to remove a condition regarding the maximum number of dwellings allowed in Daleville Town Center and to add provisions after the Design Guidelines as amended. Mrs. Pendleton noted that the third request is for a Special Exceptions Permit to allow a maximum height of 60' for two proposed multi-family structures.

Mrs. Pendleton stated that the County's TND ordinance was adopted in 2002 and revised in 2008. She noted that the ordinance was based on a more urban design/environment and did not take into account certain elements of development in the County such as topography and density. She noted that since that time a lack of clarity and inconsistency has created obstacles for developers and staff. Mrs. Pendleton further noted that the Zoning Ordinance should align with the Comprehensive Plan and promote density where appropriate.

She stated that Daleville Town Center was recently designated as an Urban Development Area in the Comprehensive Plan. Mrs. Pendleton stated that, with the increased demand for housing due to job growth in the County, the proposed ordinance amendments and proposed revisions to the proffers for this property are necessary to complement the County's efforts to encourage higher density housing opportunities. She further stated that the ability to construct apartments in a four-story building through this SEP request will enable residential density to be directed in appropriate areas.

After discussion, Mrs. Pendleton noted that a copy of the DTC's concept plan was included in the Board's information packet. She further noted that the proposed text amendments include clarifications on what constitutes approval, the relocation of some language in the ordinance, sets a 50,000 square foot limit on SEP requests for industrial structures in TNDs, clarifies the definition of density, and defines the maximum net density of a TND.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the ordinance always contained provisions for minimum lot size and net density per designated area. She noted that lot sizes for townhomes in TNDs are proposed to be increased as well as density limits for apartments. She noted that these calculations were previously interpreted differently.

Mrs. Pendleton stated that the revisions allow for more commercial than industrial space, the width of sidewalks will match VDOT's standards, and shared parking agreements should be provided with the original rezoning request for such uses.

After discussion, Mrs. Pendleton stated that the staff drafted these provisions to ensure that these amendments allowed the TND guidelines to be consistent with the UDA.

Mrs. Pendleton stated that one citizen letter about this request discussed Daleville Town Center's original concept plan. She noted that multi-family uses are only allowed in the core area of the TND and the proposed apartment buildings are located in the original TND request's core area.

Mrs. Pendleton stated that the SEP request is to increase the maximum height of the proposed two four-story apartment buildings from 55' to 60'.

Mrs. Pendleton noted that Mr. Andy Kelderhouse, with Fralin and Waldron, was present at the meeting to answer any questions. She noted that Mr. Kelderhouse has indicated that the proposed apartment buildings will be less than 60' tall.

Mrs. Pendleton further stated that there were several citizen calls, office visits, and e-mails received in the Planning Department about these requests and there were four citizens who spoke at the Planning Commission meeting. She then read the two conditions recommended by the Commission for the SEP request: "1. The granting of the SEP for an increase in height to a maximum of sixty (60) feet shall be limited to the two structures depicted on the concept plan, shown in red, included with the application, prepared by Engineering Concepts, Inc., and dated March 8, 2017. The proposed use of these structures is for multi-family dwellings only. In no instance shall the SEP be granted for any other use, or for these structures should their location change in such a manner than they are to the north of Charter Avenue, to the west of Broad Street, or to the east of the proposed road shown as Market Square on the concept plan. 2. The multi-family structures shall not exceed four (4) stories."

After questioning by Mr. Dodson regarding the proposed text amendment to cap the commercial/industrial use at 30% of the gross development area, Mrs. Pendleton stated that the limit for both uses together is 40% in the current ordinance.

After questioning by Mr. Williamson regarding the SEP, Mrs. Pendleton stated that the SEP is specific to only the two proposed apartment buildings as shown on the concept plan.

Mr. Kelderhouse then thanked Mrs. Pendleton and her staff for their help in drafting these text amendments which will help to resolve conflicts that have occurred over the past few years regarding density in the Daleville Town Center project. He noted that the County needs diversity in its housing options and these proposed text amendments reflect more of what, where, and the County's current market conditions.

Mr. Kelderhouse stated that the proposed four story buildings will have elevators and sprinkler systems. He noted that the Fire/EMS Department's fire safety-related requests for this project seem to be reasonable.

Regarding the change in proffers request, Mr. Kelderhouse stated that he thinks that the proposed changes "let the ordinance prevail" regarding the limit on the number of multi-family dwelling units, total dwelling units, and commercial square footage in Daleville Town Center. He noted that their current apartment complex is 98% occupied. He further noted that apartments are now becoming permanent residences instead of interim housing for citizens.

Mr. Williamson stated that he has been thinking of what will happen in the future and questioned the possibility of additional multi-family/multi-floor buildings.

Mr. Kelderhouse stated that the only area within DTC that they are allowed to construct multi-family, stand-alone structures is in the red-colored area on the concept plan. Mr. Kelderhouse stated that he sees more opportunity for mixed use in the future but it is not likely to be a Fralin and Waldron property.

After questioning by Mr. Williamson, Mr. C. J. Boothe with the Troutville Fire Department stated that he had no comments on behalf of the Fire Department regarding this request.

After questioning by Mr. Leffel, it was noted that there was no one present to speak regarding these requests. The public hearings were then closed.

On motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the attached amendments to Chapter 25. Zoning, Article II. District Regulations Generally, and Article VI. Definitions of the Botetourt County Code as per a request from Fralin and Waldron, Inc., to clarify and update language and eliminate conflicting regulations and revise the allowable densities for residential uses within the Traditional Neighborhood (TND) Use District. (Resolution Number 17-04-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Fralin & Waldron, Inc., for a Change of Proffers to remove existing proffered conditions related to a maximum number of multi-family dwelling units within the Daleville Town Center Traditional Neighborhood District and add provisions after the Design Guidelines, as amended March 22, 2016, on a 117.847-acre site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1; 88(9)1; 88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5; 101(21)5A; 101(21)6; 101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; 101(21)12, as follows: (Resolution Number 17-04-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The property will be developed in substantial conformance with the concept plan titled "Designated Use Plan" dated May 18, 2005, which is attached hereto and expressly incorporated herein as a proffered condition of approval of the rezoning, identifying the Core, Workplace, and Edge areas as defined in the Botetourt County zoning ordinance.
2. The property will developed to the exclusion of all other uses other than those indicated in this application for rezoning.
3. A Master Property Owners Association (POA) shall be formed for the development, whose purpose shall be to provide for an organized structure to ensure the maintenance and enhancement of the intended structures and grounds throughout Daleville Town Center. Their responsibilities shall include, but not be limited to:
 - a. The creation of adequate budget(s) for the maintenance of all common areas, parks, trails, alleys, stormwater management facilities, signage, necessary insurance, management services, and the like.
 - b. To collect dues and other assessments to support the budgets.
 - c. To execute or contact to execute the work necessary for the maintenance and associated work.
 - d. The Association shall have the right to create classes of membership, or sub-associates, or both, to better facilitate the particulars of any section, type or group that may be developed within the property (i.e., commercial, office, residential).

- e. The Association shall be bound by its Articles of Incorporation (to be developed) and by the laws of the State of Virginia.
4. Signage for all of the parcels within the development known as the Daleville Town Center, and zoned Traditional Neighborhood Development (TND) Use District, will be regulated by the document titled "Daleville Town Center Master Signage Plan & Guidelines", dated March 8, 2016, which is attached hereto and expressly incorporated herein as a proffered condition of approval of the rezoning. The signage plan will supersede the signage regulations in the zoning ordinance outlined in Chapter 25, Zoning, Sec. 25-461. – General Provisions, and Sec. 25-462. – Sign standards and regulations. These proffers are not meant to supersede the requirements in Sec. 25-463. Administration. An approved sign permit, and building and zoning permit, if applicable, and applicable fees, are required for the construction or installation of any and all proposed signage. Any violations of the standards and regulations will be considered a violation of the zoning ordinance and will be regulated by Sec. 25-522. – Enforcement and Penalties. When regulations for certain types of signage are not included in the attached Guidelines, the regulations of the zoning ordinance will apply. In addition to the proffered conditions submitted hereto, all other sections of the zoning ordinance will apply uniformly to all buildings, structures, land, water and uses within the development.

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Fralin & Waldron, Inc., for a Special Exception Permit in the Traditional Neighborhood District (TND) to allow a maximum height of 60 feet for the construction of two (2) multifamily buildings on a 95.38-acre site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcel 33, with the following conditions: (Resolution Number 17-04-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The granting of the SEP for an increase in height to a maximum of sixty (60) feet shall be limited to the two structures depicted on the concept plan, shown in red, included with the application, prepared by Engineering Concepts, Inc., and dated March 8, 2017. The proposed use of these structures is for multifamily dwellings only. In no instance shall the SEP be granted for any other use, or for these structures should their location change in such a manner than they are to the north of Charter Avenue, to the west of Broad Street, or to the east of the proposed road shown as Market Square on the concept plan.
2. The multi-family structures shall not exceed four (4) stories.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the meeting was adjourned at 6:37 P. M. (Resolution Number 17-04-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None