

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, May 23, 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 12:45 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, 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 17-05-01)

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 2:06 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, 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 17-05-02)

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 for the tragic event that occurred in Eagle Rock last Friday which resulted in the death of Mr. Roger Johns, a member of the Eagle Rock Volunteer Fire Department. He asked that support be provided for Mr. Johns' family, the close-knit Eagle Rock community, and the County's career and volunteer fire and EMS staff.

Chief Tommy Fuqua then introduced Chief Matt Britt to the Board. He noted that Chief Britt began work yesterday as the County's new Chief of Fire and EMS. Chief Fuqua stated that

Chief Britt is from Biscoe, North Carolina, and has a wide range of experience in career and volunteer fire and EMS service, as well as expertise in the training aspect of these positions.

Chief Fuqua stated that the County received numerous applications for this position and Chief Britt was chosen after a lengthy application, review, and interview process.

Chief Britt thanked the Board for inviting him to today's meeting. He noted that serving as the County's Chief of Fire and EMS is an honor and he looks forward to filling this position and working with the County's career and volunteer staff. Chief Britt stated that the County will persevere through the death of Eagle Rock volunteer firefighter Roger Johns.

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

Mr. Larrowe then stated that it has been a pleasure to work with the professionals that are associated with the County's fire, rescue, and EMS departments. He noted that the County is pleased to have had the opportunity to have an individual as interim Chief over the past year who has done exemplary work in his previous position and he thanked Chief Tommy Fuqua for his willingness to lead the County's Fire/EMS Department.

Mr. Larrowe stated that he has enjoyed Chief Fuqua's companionship and leadership during his tenure with the County. He noted that Chief Fuqua previously served as Roanoke County's Fire Chief and has done a great job for the County, as well as for the volunteer and career staff, since last June.

Mr. Leffel stated that Chief Fuqua has been willing to work for the County twice over the past three years and has done an incredible job during his tenure. He noted that Chief Fuqua's efforts helped keep the County "from going backwards." Mr. Leffel noted that Chief Fuqua has accomplished a lot of great things for the County and has been of great assistance to the staff during Chief Britt's hiring process.

Mr. Leffel then presented Chief Fuqua with a County watch and, on behalf of the Board of Supervisors and County staff, thanked him for his two years of sacrifice in working for the County after his retirement from Roanoke County.

Chief Fuqua stated that it has been a delight working for the County. Chief Fuqua stated that he had not met Mr. Larrowe prior to Mr. Larrowe contacting him on Mr. Leffel's recommendation to ascertain his willingness to be the County's interim Chief upon the passing of Chief Jeff Beckner last year. Chief Fuqua stated that he and Mr. Larrowe have become great friends and they have worked to make changes and "do some things out of the box" to improve and keep the County's Department of Fire and EMS moving forward.

Chief Fuqua stated that it does not seem like he has been interim Chief for almost a year and thanked the Board for their support during his tenure.

Mr. Ken McFadyen, Economic Development Director, then stated that May is Business Appreciation Month. He noted that the County, along with Roanoke County, has worked with Ms. Annette Patterson, Executive Director of The Advancement Foundation, over the past few months on The Gauntlet small business development program. He noted that they have also worked with the towns to promote this program.

He noted that Ms. Patterson is present today to give a report to the Board on the program and introduce some of the Botetourt County business participants who were involved in this program.

Ms. Patterson stated that she informed the Board of The Gauntlet program several months ago. She noted that the program began in 2007 and this is the third year that this com-

petition has occurred. Ms. Patterson stated that the program, which creates opportunities for small business development, had 12 participants in 2015 who received a combined \$10,000 in prizes; there were 25 participants in 2016 who received a total of \$100,000 in prizes, and this year there were 84 participants who received a total of \$200,000 in cash and prizes.

Ms. Patterson stated that the Foundation is a liaison between businesses and localities and provides their participants with guidance and resources for the development of their business plans. She noted that the County and the business community have been great to work with. She noted that their focus is on attracting and retaining business talent in this area and further noted that they also had some high school participants in this year's program.

Ms. Patterson noted that two of their program participants—Traci Showalter and Aaron Taylor—were present at today's meeting.

Ms. Showalter stated that she owns Stoney Brook Vineyards in Troutville. She noted that they opened the vineyard in 2012 and have had two successful harvests. Ms. Showalter then stated that they have planted 3,500 vines in the past two weeks.

She stated that this competition was a tremendous help in developing a business plan for the vineyard. She noted that experts were brought in to teach the participants and point them in the right direction to make their business successful. Ms. Showalter stated that her business plan came in third in the competition.

After discussion, Ms. Showalter stated that they should have their first vintage ready in 2019.

Mr. Aaron Taylor stated that he owns Dr. Auto Spa which is located next to Cavalier Automotive on Alternate Route 220. He noted that this program was an extraordinary opportunity for his business and the resources available were very helpful in the development of his business plan.

Mr. Taylor thanked the Board of Supervisors for their support of this three-month program which he hopes continues in the future. He noted that all businesses need a complete business plan to succeed.

The Board thanked Ms. Patterson, Ms. Showalter, and Mr. Taylor for their attendance at today's meeting.

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

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 17-05-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on April 25, 2017;

Approval of the following Additional Appropriations:

Additional appropriation in the amount of \$2,807 to Sheriff's Department – RAID Patrol, 100-4031200-31200-5830. This is a quarterly reimbursement of RAID program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$4,435.66 to Sheriff's Department – Subsistence & Lodging, 100-4031200-31200-5530. These are funds received from the State for reimbursement of extradition expenses.

Additional appropriation in the amount of \$410 to Sheriff's Department – Various Accounts, 100-4031200-31200. These funds are for the receipt of contract payments and restitution funds.

Additional appropriation in the amount of \$2,238.10 to Correction & Detention - Medical & Lab Supplies, 100-4033100-33100-6004. These funds represent inmate medical co-pays.

Additional appropriation in the amount of \$963.50 to Correction & Detention – Professional Services, 100-4033100-33100-3100. These are reimbursed inmate medical costs received from Craig County.

Additional appropriation in the amount of \$98,593 to Children's Services – Professional Services, 100-4053500-53500-3100. This is the State portion of a supplemental funding request approved by the Office of Comprehensive Services and is contingent upon receipt of State funds.

Additional appropriation in the amount of \$50,000 to Volunteer Fire & Rescue – Instruction & Training, 100-4032200-32200-3180. This is a RFSTF (Regional Fire Services Training Facilities) grant received from the Virginia Department of Fire Programs to be used to cover training expenditures.

Additional appropriation in the amount of \$1,000 to Recreation & Facilities - Marketing, 100-4071100-71100-5840. These are donated funds received from Shenandoah Baptist Church for County athletic scholarships.

Additional appropriation in the amount of \$2,500 to Sports Complex – Purchase of Services, 100-4071300-71300-3800. These are sponsorship donations received from several sources to cover banquet expenses for an NCCAA softball event.

Additional appropriation in the amount of \$300 to Sports Complex – Other Operating Supplies, 100-4071300-71300-6014. These are reimbursed funds received from DirecTV.

Additional appropriation in the amount of \$20,000 to Children's Services – Professional Services, 100-4053500-53500-3100. This appropriation will cover the department's overall negative balance through May 31, 2017; and

Approval of Accounts Payable and ratification of the Short Accounts Payable List as submitted.

Consideration was then held on a School Board request to amend the Capital Reserve Fund Policy regarding the designation of year-end surplus funds. Mr. Tony Zerrilla, Director of Finance, stated that the School's Capital Reserve Fund was established in 2008 and provides that school year-end budget savings are divided between the schools (2/3) and County (1/3). He noted that the School Reserve has two components—2/3 of the budget surplus would be allocated to the Major Capital Reserve Fund, and 1/3 of any surplus to the Minor Capital Reserve Fund.

Mr. Zerrilla stated that from FY 2008 through FY 2016 the schools generated approximately \$4.6 million in total budget surplus—which calculates as \$3.5 million allocated to the Schools and \$1.1 million directed to the County's General Fund.

He further stated that, in a May 15 letter from School Superintendent John Busher to the County Administrator, the schools requested that the policy be amended as of Fiscal Year 2017 so that 100% of the annual budget surplus would be retained by the schools and transferred to the Capital Project Reserve Fund. Mr. Zerrilla stated that the schools are requesting to use

these funds for the purchase of large capital expenses as there is a need to accumulate funds for existing and future capital project needs, including capital maintenance items.

Mr. Zerrilla stated that staff is recommending approval of this policy change for FY 17 and in subsequent years this request will be considered in timing with the annual budget adoption process. He noted that staff is also recommending a provision that approval of expenditures from the School Capital Reserve Fund of less than \$150,000 be approved by the County Administrator, and those expenditures in excess of \$150,000 be considered for approval by the Board of Supervisors.

Mr. John Busher, Superintendent of Schools, stated that the schools have been fortunate to have this current agreement with the Supervisors on the use of year-end budget savings. He noted that sometimes “things happen” during the fiscal year for which Capital Reserve Funds are needed such as the recent, unexpected boiler repairs at James River High School.

Mr. Busher stated that the school budget depends on State revenues which vary from year to year. He further noted that they are currently working through an energy performance contract to provide savings to be used to make school repairs. He stated that they need to provide continued maintenance to their equipment and facilities to ensure reliable systems operation; however, they still have tracks, fields, and roofs that need repairs. Mr. Busher stated that having these year-end savings available would help this maintenance situation.

Mr. Busher stated that, if the policy is changed to allow 100% of year-end savings to be retained by the schools, they would be able to develop a facility/building maintenance plan.

After questioning by Mr. Williamson regarding the \$150,000 amount, Mr. Busher stated that similar funds in other jurisdictions have various dollar limits for this purpose and this amount was the figure that the County/School staff decided upon.

After further questioning by Mr. Williamson, Mr. Busher stated that, if there is an emergency repair, they would contact the County Administrator to request approval of these funds.

Mr. Williamson stated that the County did not fully reallocate the school’s year-end savings for the last two fiscal years due to a lack of support and the need for these revenues in the General Fund budget. Mr. Williamson noted that he is “glad to see that we are getting past this.”

Mr. Williamson also requested that the Supervisors receive a report on how these Capital Reserve funds are spent.

Mr. Busher stated that he would be willing to provide this expenditure report to the Board.

Mr. Dodson stated that he agreed with Mr. Williamson’s comments and is glad that the dialogue on revenues and expenditures has begun between the County and Schools. He noted that the budget development process has been a “breath of fresh air” over the past few years and this policy is a great way to ensure that we are spending the money where it is needed.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the following amendment to the School Capital Reserve Fund Policy regarding fiscal year-end budget surplus funds, effective with Fiscal Year 2017: (Resolution Number 17-05-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The School Division will retain 100% of the FY 17 budget surplus for transfer to the School Capital Reserve Fund, to be used exclusively for large capital expenditures. For subsequent years, this School request will be considered in timing with the annual budget adoption process, with the provision that approval of expenditures from the Fund of less than \$150,000 may be granted by the County Administrator and those expenditures from the Fund in excess of \$150,000 will be considered for approval by the Board of Supervisors.

Mr. Leffel then thanked Mr. Busher for his efforts in the new rapport between the Board of Supervisors and the School Board. He noted that much of this progress is due to Mr. Busher's efforts.

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 VDoT's monthly report. He noted that the Exit 150 project is on schedule and all traffic can now access Alternate 220 or Route 11 from I-81 through Exit 150A and B. He noted that they continue to check the Route 11/220 and the Alternate 220/Gateway Crossing traffic signals regarding problems with the pre-emption equipment used by fire and EMS vehicles during emergency call response.

Mr. Hamm noted that the pavement repairs and resurfacing of I-81 from Mile Marker 149.5 to the Route 779 overpass is proceeding as the subcontractor continues to work on the concrete slabs under the asphalt. He further noted that additional nighttime lane closures on the northbound lanes are expected over the next few weeks.

Mr. Hamm stated that Boxley Materials will be placing a plant mix on the County's high-volume Secondary System roads this summer. He noted that work is anticipated to begin in August after ditching work is completed. Mr. Hamm further noted that their subcontractors have begun work on surface treatment of various roads and slurry seal work on some roads in the Fincastle area was finished this week.

After discussion, Mr. Hamm stated that VDoT conducted two land development project reviews and issued 13 entrance, utility, and agricultural use permits last month. He noted that work will begin in July/August to replace pipes and do ditch work on the British Woods Drive rural addition project prior to the road being repaved. Mr. Hamm further noted that VDoT is also working to surface treat the cul-de-sac on Bridge Street North in Buchanan with in-house personnel using funds that will be available in July.

Mr. Hamm noted that the recent severe storms have delayed scheduled work by their area headquarters' personnel. He noted that the storms have caused flooding which resulted in pipe replacements and repairs and replacement of gravel on washed out roads.

He stated that the traffic study for a signalized intersection at the Alternate 220/British Woods/Summerfield Court area was completed two weeks ago. He noted that VDoT is recommending no changes at this time; however, this area is included in an ongoing study for the Alternate 220/Route 460 corridor.

Mr. Martin stated that he would like to discuss the Hastings Lane (Route 805) abandonment issue with VDoT at the June regular meeting.

Mr. Williamson then thanked VDoT for their surface treatment projects on various roads in the Buchanan area. He then stated that, after the recent heavy rains, Trevey Road again

needs work on its ditches as well as the gravel road sections of Trebark Road and Button's Bluff.

Mr. Hamm noted that VDoT worked on Trebark and Button's Bluff last summer but he will have their maintenance staff review the roads again.

Dr. Scothorn thanked Mr. Hamm for the work done on British Woods Drive. He also stated that the residents appreciated the recent sweeper truck cleaning loose gravel from the streets in his neighborhood. After questioning by Dr. Scothorn regarding pavement issues in Hunter's Green Subdivision, Mr. Hamm stated that he will review this roadway's shoulders and drainage issues tomorrow.

Mr. Hamm further noted that the cul-de-sac at the end of Autumnwood Lane will be repaved after problems occurred with the previous resurfacing work.

Mr. Leffel stated that a section of Salt Petre Cave Road near the bridge across the creek had asphalt washed out during the recent heavy rains.

Mr. Hamm noted that VDoT is also inspecting two culvert pipes on Salt Petre Cave Road to see if bigger pipes are needed to handle the large amount of runoff in that area.

The Board then thanked Mr. Hamm for his report.

Mr. Brian Blevins, VDoT's Assistant Resident Engineer, then conducted a work session on the proposed FY 2018-2023 Secondary System Six Year Plan. Mr. Blevins stated that the Plan includes three projects with Priority "0"—the Arcadia Road bridge over Jennings Creek, the Catawba/Etzler Road bridge intersection improvement project, and the Buhrman Road Rural Rustic Road (RRR) project. He noted that all of these projects have been completed and are awaiting final receipt of invoices before they are closed out by VDoT. Mr. Blevins noted that any funds remaining on the Buhrman Road project will be transferred to Priority "2" McFall's Road.

Mr. Blevins noted that Priority "1" is a vertical curve improvement project on Glebe Road which has previously received \$455,000 in funding but is estimated to cost \$1.9 million to complete. He stated that Priority "2" is the reconstruction of 0.6 mile of McFall's Road which is being funded through the RRR program. Mr. Blevins stated that Priorities "3" (White Church Road) and "4" (Stone Coal Road) were recently approved for addition to the Plan by the Board and will be paved through the RRR program. He further stated that the cost estimates for White Church (\$470,000) and Stone Coal (\$420,000) are preliminary. Mr. Blevins then noted that Priority "5" is the reconstruction of British Woods Drive under the Rural Addition program. He noted that funds for this project were moved from the Cost Center budget line item.

Mr. Blevins then reviewed the other Cost Center funding categories—traffic services, rural additions, engineering and surveying, and fertilization and seeding. He noted that the engineering/surveying line item is used to fund drainage studies.

He then reviewed the proposed Six Year Plan chart and stated that location maps for these priorities were included in the Board's information packets. Mr. Blevins further stated that the County is expected to be allocated \$266,754 in FY 18 from the CTB Formula-Unpaved State Roads Fund for unpaved road projects. He noted that this Fund will be phased out in FY 2020 and will be replaced with District Grant-Unpaved Road Funds in FY 2021. The TeleFee monies will also be available for these projects after that time.

After questioning by Mr. Blevins, it was noted that the Board members had no suggested changes to the proposed Secondary System Six Year Plan.

On motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized staff to advertise the FY 18-23 Secondary System Six Year Plan and the FY 17-18 Secondary System budget for public hearing at the June 27 regular meeting. (Resolution Number 17-05-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on the staff recommendation regarding selection of a financing option regarding the Schools energy performance savings project. Mr. Tony Zerrilla, Director of Finance, stated that, at last month's meeting, the Board approved the issuance of a request for proposals (RFP) for the financing of the school energy performance contract. He noted that two financing options were proposed for this \$6.3 million project—tax exempt energy performance contract financing through a lease purchase agreement, and taxable bonds issued through the Virginia Resources Authority under the Virginia SAVES Green Community Program.

Mr. Zerrilla stated that these funds would be used to purchase energy saving equipment such as lighting and HVAC upgrades, insulation, etc., to generate cost savings. He further stated that eight different banks responded to this RFP were received by Davenport and Company, the County's financial advisors, late last week. He noted that there would be extra costs associated with the taxable bonds option and the Virginia SAVES program has determined that these energy projects are eligible for federal subsidies.

Mr. Zerrilla then noted that Mr. Webster Day, bond counsel, was involved in the RFP process.

Mr. Zerrilla stated that, of the proposals received from eight lending institutions, the lowest interest rate is being offered by Bank of America on both the taxable Qualified Energy Conservation Bond (QECB) and the tax exempt options. He noted that the taxable option is more expensive than the tax exempt proposal due to approximately \$155,000 in additional expenses due to the Davis Bacon Act requirements for this type of financing. Mr. Zerrilla stated that Bank of America is offering a 3.75% interest rate on the taxable QECB financing and 2.48% on the tax exempt financing, with the interest rate after calculating the federal subsidy to be 0.87%.

Mr. Zerrilla stated that the net cash flow impact of this project in FY 18 would result in no annual net debt service expense for the County. He further stated that, over the life of the financing, the School energy project would see \$278,000 in cash flow savings through the issuance of taxable bonds for this project. Mr. Zerrilla stated that the tax exempt option would not generate any savings for the County due to the higher cost of the debt.

After discussion, Mr. Zerrilla then reviewed the debt service chart for the QECB financing. He noted that as the interest payments decrease, so will the County's subsidy. He noted that there are anticipated positive annual savings for each year of the financing with a total of \$278,000 in anticipated savings over the 15 year financing period.

Mr. Zerrilla stated that Davenport and Company is recommending that the Board accept the taxable QECB proposal from Bank of America to finance the 2017 School energy performance contract for a period of 15 years at a 3.75% interest rate (net interest rate of 0.87%). He noted that this proposal would result in \$6,000 in savings above the BB&T proposal.

Mr. Zerrilla stated that Davenport and Company would like to proceed with this financing as soon as possible as Bank of America's proposed interest rate (3.75%) is good through May

27. He noted that closing on this issuance would be scheduled for late June/early July and the Board would be asked at their June regular meeting to approve a formal resolution on this financing proposal as well as any final financing documents.

After questioning by Mr. Martin, Mr. Zerrilla stated that he is recommending that the Board accept Davenport and Company's recommendation on this financing.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the federal subsidy amount is "locked in" until September 2017 and is subject to a new subsidy beginning on October 1, 2017. After further questioning by Mr. Williamson on the future impact on this financing if the federal subsidy is eliminated, Mr. Zerrilla stated that the consensus from Davenport and Company is that this federal subsidy will continue in future federal budgets.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the recommendation by staff and the County's financial consultant to accept the Taxable Qualified Energy Conservation Bond (QECB) proposal from Bank of America for the 2017 School Energy Performance Contract financing in the amount of \$6,300,000 (excluding the costs of issuance) at a 15-year taxable rate of 3.75%. (Resolution Number 17-05-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:17 P. M.

Consideration was then held on a School Board request to purchase 2.414 acres of property adjacent to Cloverdale Elementary School. Mr. John Busher, Superintendent of Schools, stated that his office was contacted by an adjacent property owner of Cloverdale Elementary regarding the potential purchase of his 2.4 acre parcel. Mr. Busher stated that he and two School Board members visited the property, which is located on the east side of the school, and determined that the property has great potential for future school use.

Mr. Busher noted that most of this parcel is located outside of the floodplain and, with additional population growth anticipated in the Cloverdale school attendance area, a purchase agreement was presented to the School Board for consideration two weeks ago. He noted that the School Board approved this contract and agreed to pay \$7,000 in earnest money to the seller.

Mr. Busher stated that they proposed to construct an addition to the school on land currently being used as vehicle and school bus parking and then construct an additional parking area on this 2.4 acre parcel. Mr. Busher stated that they believe that this is a great opportunity to plan for the future as the school is currently landlocked and has limited options for expansion.

Mr. Busher further stated that this purchase contract was discussed with both the County Attorney and the School Board's attorney and a title search is being conducted. He noted that the existing residence on the property has potential for use for school-related activities/programs or it could be demolished. Mr. Busher noted that the property is valuable to the school and its purchase would allow for potential growth options by the school.

After questioning by Mr. Martin, Mr. Larowe noted that the assessed value of this property is \$161,500.

After questioning by Dr. Scothorn, Mr. Busher stated that, according to several realtors, the property is valuable. He further noted that the owner is requesting \$190,000 for this parcel and the School Board is requesting a supplemental appropriation of \$183,000 from the County's Undesignated Fund Balance for this purchase.

After questioning by Dr. Scothorn, Mr. Busher stated that an appraisal of the property valued the land/buildings in excess of \$200,000.

Mr. Williamson stated that he realizes that this is an unbudgeted funding request and the Supervisors received short notice of this proposed purchase; however, Cloverdale Elementary has been landlocked for many years and this is an opportunity to purchase land for the schools' future expansion needs.

Mr. Busher noted that the rear of the 2.4 acre parcel has flooding issues and he has visited the property frequently during the recent heavy rains to ascertain the flooding impacts of those storms.

Mr. Williamson noted that Cloverdale Elementary is an old school building; however, it has been renovated a couple of times in the last 20 years. Mr. Busher confirmed this statement.

After questioning by Mr. Martin as to whether school year-end surplus funds could be used to purchase this property, Mr. Zerrilla noted that at the end of the June 30, 2016 fiscal year, the schools had approximately \$5,000 in unspent surplus funds.

After further questioning by Mr. Martin regarding this funding request, Mr. Dodson stated that, if approved, this \$183,000 would be allocated from the County's savings (Undesignated Fund Balance).

Mr. Dodson stated that this is an opportunity to purchase this property for future school needs.

Mr. Busher stated that their top goal for this property is to have it available for future growth/expansion of Cloverdale Elementary.

After questioning by Mr. Dodson, Mr. Busher stated that they do not have a recent appraisal on this property. Mr. Dodson questioned how this purchase fits in with the school system's broader needs.

Dr. Scothorn stated that he talked to a long-time area resident about this 2.4 acre parcel and she did not remember any flooding occurring in the structure; however, the grounds have flooded in the past. He noted that most of the rear portion of the property is located within the floodplain.

Mr. Leffel stated that the concept is that the school population in this area is growing and Cloverdale is the most salvageable school in the system. He noted that HVAC upgrades and energy efficient windows were installed several years ago. Mr. Leffel stated that he is in favor of this request and does not believe that the property's sales value is overpriced.

Dr. Scothorn stated that he would like to see a copy of the property's appraisal.

After questioning by Mr. Dodson, Mr. Busher stated that no formal sales contract has been signed as of this time.

After further discussion by Dr. Scothorn, Mr. Williamson stated that he did not see the need for a formal appraisal of this property to be conducted prior to approval of this funding request as the schools would be spending additional monies to have this appraisal completed.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a transfer of funds (and related supplemental appropriation) in the amount of \$183,000 from the General Fund - Undesignated

General Fund Balance to the Botetourt County School Operating Fund for the purchase of a 2.414 acre parcel located at 765 Cougar Drive in Cloverdale. (Resolution Number 17-05-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Leffel then requested that a copy of the most recent appraisal on this 2.4 acre parcel be provided to the Board members.

Mr. Busher stated that he would provide this information.

Mr. Busher then noted that a total of 354 students will be graduating from the County's two high schools this year. He noted that 225 graduated from Lord Botetourt last night and 119 will graduate from James River this evening. He noted that several students have completed advanced courses, have obtained certifications in their chosen careers, and three have obtained advanced degrees from Virginia Western Community College.

Mr. Busher further noted that Virginia Western and the school system have received a grant which will be used to support training of two mechatronics instructors. He noted that some equipment still needs to be purchased before the program can begin.

Mr. Tony Zerrilla, Director of Finance, then provided the Board with a report projecting the FY 17 General Fund balance. Mr. Zerrilla stated that his report comparing the anticipated June 30, 2017 balance with the June 30, 2016 General Fund Balance was included in the Board's information packets. He noted that this report includes a review of the ten-month fund results with projections for revenues and expenditures for the last two months of the current fiscal year.

Mr. Zerrilla stated that the General Fund balance for FY 17 (\$31.8 million) versus FY 16 (\$30.2 million) indicates that the County was \$1.6 million "to the good" as of April 30, 2017. He noted that there is anticipated to be a \$200,000 revenue shortage for May and June 2017 compared to the same time in 2016 partially due to grant monies being received in April 2016 versus May 2016. Mr. Zerrilla stated that the total County revenues in May and June 2017 are expected to be \$1.03 million less than received in May and June 2016 and this is primarily due to the County's receipt of Governor's Opportunity Fund monies received in June 2016.

Mr. Zerrilla stated that the County transferred large amounts of funds (\$2.1 million) to the Economic Development Authority (EDA) in FY 16. He noted that total County expenditures as of May and June 2017 are proposed to be \$5.6 million compared to \$7.6 million for that same period in FY 16. He noted that this variance is due to the transfer of funds to the EDA.

Regarding school funding, Mr. Zerrilla stated that after consulting with the school system, they expect to spend \$300,000 more in May and June 2017 than in the same two months in 2016. Mr. Zerrilla stated that the total net expense impact in May and June 2017 is estimated to be \$9.8 million compared to \$10.5 million for the same period in 2016, which is a net difference of \$700,000 more than last fiscal year.

After discussion, Mr. Zerrilla stated that the projected FY 17 fund balance as of June 30 will be \$19.4 million compared to \$19.7 million in FY 16, excluding Governor's Opportunity Fund monies. He noted that the General Fund balance, excluding \$2.6 million of Governor's Opportunity Fund monies, is projected to decrease approximately \$300,000 in FY 17 compared to the General Fund balance at June 30, 2016.

Mr. Zerrilla stated that he also discussed potential reappropriations from the 2017 budget into the 2018 budget with several department heads and estimated that \$2.7 million in

reappropriations will be brought before the Board for consideration after June 30, 2017. He estimated that there would be a \$500,000 reduction in the General Fund balance compared to the previous year when accounting for reappropriated funds.

Mr. Williamson stated that the rollovers/reappropriations from the FY 16 budget into the FY 17 budget were considered/approved by the Supervisors over several months last year. He suggested that these rollovers be considered by the Board at one time at either the August or September regular meetings. He noted that a public hearing would have to be held on these reappropriation requests as they exceed 1% of the advertised FY 18 total budget amount.

The Board members did not object to Mr. Williamson's recommendation and Mr. Zerrilla indicated that he would proceed with this request.

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

A public hearing was then held on the allocation of a 20' utility easement in Botetourt Center at Greenfield to Appalachian Power Company. Mr. David Moorman, Deputy County Administrator, stated that the County entered into performance agreements with the Greater Roanoke Valley Development Foundation for the construction of a shell building in Botetourt Center at Greenfield and with ELDOR Corporation which included the extension of various utilities.

Mr. Moorman noted that AEP is requesting a 20' easement along International Parkway to provide electrical service to these parcels.

After discussion by Mr. Williamson, Mr. Moorman stated that the County did not know how these sites would be developed when utility infrastructure was originally installed in Greenfield so no easements to this portion of the park were previously dedicated.

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. Dodson, and carried by the following recorded vote, the Board authorized the conveyance of a 20' utility easement along International Parkway in Botetourt Center at Greenfield to Appalachian Power Company, and authorized the County Administrator to execute any and all necessary documents to effect the same, subject to review and approval by the County Attorney. (Resolution Number 17-05-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on proposed amendments to Chapter 20 Solid Waste of the Botetourt County Code regarding the addition of provisions for recyclable materials, to provide additional flexibility to allow differing lengths and contract terms of franchises, providing for terms as short as one year and as long as seven years, as may be set forth in any franchise request for proposal (RFP) or proposal.

Mr. David Moorman, Deputy County Administrator, stated that the County's Class 1 franchise trash collection contracts expire on December 31, 2017. He noted that during preparation for procurement of these contracts staff and the County Attorney reviewed the Solid Waste ordinance and determined that some updates and revisions were necessary to the statutory references, revise the definition of recyclable materials, require Class 1 and 2 collectors to provide collection of recyclable materials from their customers, allow the County flexibility in setting the length of franchise terms from one to up to seven years, provide flexibility in the time-

line for the issuance of RFPs for collection services and in the deadline for receiving proposals, and general miscellaneous clarifications and updates.

Mr. Moorman noted that only three of the County's current franchise haulers provide collection services for recyclable materials at this time.

After questioning by Mr. Williamson, Mr. Moorman noted that the County did not receive any feedback from the haulers on this proposed requirement.

Mr. Moorman noted that some of the proposed amendments would allow the County flexibility in the length of franchise terms which are currently seven years.

Mr. Williamson stated that the seven year period was probably set to allow the haulers to amortize their equipment's capital investments and noted that the County needs to continue to keep this in mind during the development of the RFP.

After questioning by Mr. Dodson, Mr. Moorman noted that all of the Class 1 trash collection franchises expire at the end of 2017 and the County's intent is to keep these franchises on the same schedule. He further noted that the staff does not have a specific modification of the franchise term in mind; however, during negotiations, having the option of varying franchise term lengths from 1 to 7 years could be beneficial.

Mr. Lockaby stated that the suggestion of flexible franchise term lengths was brought up by a trash collection company.

After discussion, Mr. Moorman stated that the fundamental character of the franchise ordinance stays the same with these proposed amendments. He further noted that this public hearing was duly advertised in The Fincastle Herald.

Mr. Williamson noted that this type of trash collection franchise contract is relatively unusual in the State but it is a "pro-business type of arrangement."

Mr. Moorman stated that he does not know of many other localities in Virginia that have these types of trash collection franchises.

Mr. Dodson stated that he has not heard any complaints from citizens on how trash is collected in the County.

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 Board adopted the attached amendments to Chapter 20. Solid Waste of the Botetourt County Code regarding addition of provisions for recyclable materials, to provide additional flexibility to allow differing lengths and contract terms of franchises, providing for terms as short as one year and as long as seven years, as may be set forth in any franchise request for proposal (RFP) or proposal. (Resolution Number 17-05-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on the procurement of Class 1 franchised trash collection services through the competitive negotiation process. Mr. David Moorman, Deputy County Administrator, stated that as mentioned earlier, the County's new trash collection franchise contracts will be effective as of January 1, 2018. He noted that the State's procurement regulations require these contracts to be approved through a competitive sealed bidding process.

Mr. Moorman stated that this process is not feasible in this instance as there are several aspects of these contracts that will necessitate conducting negotiations with the bidders; there-

fore, staff is requesting that the Board adopt a resolution stating that competitive sealed bidding is not practical nor fiscally advantageous in this situation. He noted that a copy of a proposed resolution was included in the Board's information packets as well as a draft of the request for proposals for trash collection services.

Mr. Moorman also stated that the County Code requires that an evaluation committee consisting of the County Administrator or his designee and two members of the Board of Supervisors be appointed to review these proposals and conduct negotiations with the bidders.

After discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution authorizing competitive negotiations for the procurement of franchised garbage and refuse collection services.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 17-05-10

WHEREAS, Chapter 20 Solid Waste, of the Botetourt County Code provides for the collection of garbage and refuse in the County utilizing a franchise collection system; and,

WHEREAS, said Code further provides that franchises shall be awarded following the receipt and evaluation of competitive proposals; and,

WHEREAS, said Code provides that the proposals shall include, and award recommendations shall be based upon, the experience of the applicant in the field of garbage and refuse collection in Virginia, the equipment and method of operation of the applicant, the ability of the applicant to protect disposal facilities from refuse or garbage originating outside of Botetourt County, and the rate the applicant wishes to charge customers; and,

WHEREAS, rates for collection services are regulated by the Board of Supervisors and may or may not approximate rates desired by applicants; and,

WHEREAS, numerous elements of collection contracts may be subject to negotiation between applicants and the County;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors hereby determines that competitive sealed bidding is neither practicable nor fiscally advantageous for the procurement of franchised garbage and refuse collection services; and

BE IT FURTHER RESOLVED, that the Board does hereby authorize the procurement of franchised garbage and refuse collection services using competitive negotiations in lieu of competitive sealed bidding pursuant to Botetourt County Code Chapter 20 Solid Waste, and as permitted by law.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board authorized the advertisement and issuance of a Request for Proposal (RFP) for franchise solid waste and recycling collection services materially consistent with the draft RFP as discussed. (Resolution Number 17-05-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

After discussion, the Board stated that they would consider appointment of two Board members to serve on the franchise solid waste and recycling collection services proposal evaluation committee at the June regular meeting.

Mr. Larrowe then stated that the County had received a late request from Jeter Farm for a variance to the Noise Ordinance for their July 1, Truck and Tractor Pull event to be held at 1320 Mt. Joy Road in Buchanan. He noted that this event is scheduled to be held between 6:00 and 10:00 PM on July 1; however, in the event of unanticipated weather delays, equipment breakdowns, etc., Mr. Ned Jeter is requesting that the Board approve a variance to the Noise Ordinance.

There being no discussion, on motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved a request from Jeter Farm for a variance to the Botetourt County Noise Ordinance for their July 1, 2017, Truck and Tractor Pull event to be held at 1320 Mt. Joy Road in Buchanan. (Resolution Number 17-05-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. David Marcum, Chairman of the Greenfield Historic Preservation Advisory Committee, was then present to provide the Board with the group's nine month report on their activities to date.

Mr. Marcum stated that in January 2017 the Committee visited the Historic Preservation Area at Greenfield and conducted a "brainstorming session" in order to achieve more clarity in what their future goals are for this property. He noted that they also advertised for and received proposals for master planning consultant services for the project. He noted that the Committee interviewed several proposers and contracted with Hill Studio for this work.

He noted that Hill Studio has been working with the Committee since that time on possible scenarios on the physical boundaries of the Historic Preservation Area.

After questioning by Mr. Williamson, Mr. Marcum stated that the approximate size of the area is between 30 – 35 acres.

Mr. Marcum stated that at the Committee's April 11 meeting, they met with Hill Studio on site and discussed their top priorities for the future development of this area—public access, education, display of historical artifacts.

He noted that at their May 9 meeting they discussed scheduling a workshop on July 11 and conducting a public information/input meeting with Hill Studio to give the public an opportunity to react and give input on their proposals as well as ideas to operate the area in the future. Mr. Marcum stated that discussion was also held on creating a separate entity to operate and search for funding to develop and maintain the historical buildings and artifacts.

Mr. Marcum then stated that the Committee may need some additional time to finalize their recommendations beyond August 2017. He requested that the Board of Supervisors allow them to continue their charge of duties until the end of October 2017 so they can ensure that their recommendations for the future use/development of this historical area are thoroughly researched and discussed.

After discussion, on motion by Mr. Dodson, seconded by Mr. Williamson, and carried by the following recorded vote, the Board extended the length of time allowed by the Greenfield Historical Preservation Committee to complete their charge of duties and submit their report/recommendations to the Board of Supervisors until the December 2017 regular meeting. (Resolution Number 17-05-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Board then thanked Mr. Marcum for his report.

Mr. Reid McMurry, Certified Land Surveyor, then presented the Board with a map showing the proposed boundaries of the Greenfield Historic Preservation Area.

Discussion was then held on various appointments.

On motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board reappointed Mr. Gary Larowe as the County's non-elected representative on the Roanoke Valley/Alleghany Regional Commission for a three year term to expire on June 30, 2020. (Resolution Number 17-05-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on the reappointment of Mr. Todd Dodson and Mr. Billy Martin as the County's elected representatives on the Roanoke Valley Transportation Planning Organization.

Mr. Dodson stated that, with his new job, it is difficult for him to attend these meetings and he would ask that another Board member be appointed to fill this vacancy.

After discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board reappointed Mr. Billy Martin as the County's elected representative on the Roanoke Valley Transportation Planning Organization for a three year term to expire on June 30, 2020. (Resolution Number 17-05-15)

The Board noted that they would consider the appointment of another Board member to fill Mr. Dodson's position on the Transportation Planning Organization at the June regular meeting.

Mr. Williamson then noted that Mr. Jerry Burgess' term as the County's representative on the Virginia Western Community College Advisory Board expires on June 30, 2017. He noted that Mr. Burgess has served two terms on this Board and is not eligible for reappointment.

Mr. Williamson recommended that the Board appoint Mrs. Joyce Kessinger of P. O. Box 206, Cloverdale, Virginia to this position. Mr. Williamson stated that he has discussed this appointment with Mrs. Kessinger, who currently works at the Boxley Corporation, and she is willing to serve on this Advisory Board. He noted that Mrs. Kessinger was the previous chairman of the area's Workforce Development Board and he believes she will be a great "fit" for this group.

On motion by Dr. Scothorn, seconded by Mr. Williamson, and carried by the following recorded vote, the Board appointed Mrs. Joyce Kessinger of P. O. Box 206, Cloverdale, as the County's representative on the Virginia Western Community College Advisory Board for a four year term to expire on June 30, 2021, and directed staff to send a letter to Mr. Jerry Burgess thanking him for his previous service on the Advisory Board. (Resolution number 17-05-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the meeting was adjourned at 4:11 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:02 P. M.

A public hearing was then held on a request in the Buchanan District from Nancy B. Burley for a Special Exception Permit, with possible conditions, for a private dog kennel for up to six (6) dogs in the Agricultural (A-1) Use District on a 4.241-acre lot at 180 Little Paws Lane, Buchanan, VA, approximately 0.20 miles southeast of its intersection with Springwood Road (Route 630), identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 74B.

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

Mr. Jerod Myers, Long-Range Planner, then displayed the zoning and aerial maps for this property on PowerPoint and reviewed this proposal. He stated the public hearing was originally scheduled for the Supervisors' February 2017 meeting but had been withdrawn by the applicant at the Planning Commission meeting.

Mr. Myers stated that recently there were 11 dogs on this property, five of which had been seized by Animal Control and the puppies given away. As he displayed the site plan, Mr. Myers noted this Agriculture A-1 zoned property was served by well and septic systems and no increase in traffic was proposed as a result of this SEP.

He further stated that, at this month's Planning Commission meeting, three citizens spoke in opposing to this request. He noted that their comments included concerns of barking, dogs running loose, and dogs not having the proper vaccinations. Mr. Myers then suggested that, if approved, the Board include conditions limiting the total number of allowed dogs to six and that the applicant should not violate the provisions of the County's Noise Ordinance.

After questioning by Mr. Williamson, Mr. Myers stated that the Planning Commission had recommended unanimous denial of this request.

After questioning by Mr. Leffel, it was noted that Ms. Burley was not present at the meeting.

Mr. Steve Caldwell of Dresden Circle in Roanoke stated that he is an adjoining property owner and opposes this request as Ms. Burley's dogs have previously chased cows and killed chickens. He noted that she is also not in compliance with the County's rules and regulations for having this many animals and this type of facility on her property.

After questioning by Mr. Williamson, it was reconfirmed that Ms. Burley was not in the audience.

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

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board denied a request in the Buchanan District from Nancy B. Burley for a Special Exception Permit for a private dog kennel for up to six (6) dogs in the Agricultural (A-1) Use District on a 4.241 acre lot at 180 Little Paws Lane, Buchanan, approximately 0.20 miles southeast of its intersection with Springwood Road (Route 630), identified on the Real Property Identification Maps of Botetourt County as Section 62, Parcel 74B, due to issues of non-compliance with various County codes and regulations. (Resolution Number 17-05-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Valley District from William C. Mann for a Change of Proffers and Conditions to remove a condition which limited the uses to office uses only, and to remove a condition for a Stop sign on the property. The parcel is located in the Business (B-1) Use District on a 1.109-acre lot at 8420 Cloverdale Road, Troutville, located at the intersection of Cloverdale Road northbound (Alternate U. S. Route 220) and Ottaway Road, identified on the Real Property Identification Maps of Botetourt County as Section 101B(4), Parcel 1G.

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

Mr. Jerod Myers, Long-Range Planner, stated the property is located at the intersection of Alternate U. S. Route 220 and Ottaway Road and is designated for commercial uses on the Comprehensive Plan. He noted that the property had been rezoned in 2003 to Business B-1 Use, with a Special Exception Permit, with proffers and conditions.

Mr. Myers further noted that, in 2008, the Board approved a change of conditions request from a previous property owner. He then presented a PowerPoint slide listing the 2003 and 2008 proffers and conditions and explained that the current property owner is requesting that all Business B-1 permitted uses be allowed for greater business opportunities on this property.

Mr. Myers read the list of permitted uses in the Business B-1 Use District and the request to remove the condition regarding the installation of a Stop sign. He explained that neither State nor local regulations required the installation of a Stop sign on this property.

Mr. Williamson confirmed that the proposed proffers had been signed by Mr. Mann and notarized.

After questioning by Mr. Leffel, Mr. Mann stated the he declined to speak unless needed.

Mrs. Sue Watson of Ottaway Road, Troutville, stated that Ottaway Road is a private road and when Mr. Larry Ceola purchased land for the Cavalier Automotive facility, he "was given their road." Mrs. Watson stated that she objects to this request because Mr. Ceola wants to move the residents' mailboxes.

After questioning by Mr. Williamson as to why the mailboxes would be moved, Mrs. Watson stated that Mr. Ceola said they blocked his driveway.

Mrs. Jennifer Watson-Jamison of North Rome Drive, Roanoke, stated that her concerns regarding the mailboxes were due to Mr. Ceola speaking about them at the Planning Commission meeting. She noted and her concern was not with the business, although she was concerned with the lack of a Stop sign. Ms. Watson-Jamison noted that Mr. Ceola does not have a Stop sign at his business. She further noted there was never a problem before, but if this business would increase traffic, then the lack of a Stop sign is a concern due to visibility issues accessing Mr. Ceola's property.

Mrs. Watson-Jamison stated that there was an issue this evening of a car leaving Mr. Ceola's property that could not see her driving down Ottaway Road.

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

After questioning by Dr. Scothorn, Mrs. Watson-Jamison responded that there are 10 to 11 houses on Ottaway Road.

After further questioning by Dr. Scothorn, Mr. Mann stated that there are seven parking spaces located on his property.

After questioning by Mr. Williamson, Mrs. Watson-Jamison stated that there had been a vehicle accident at this intersection.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the request in the Valley District from William C. Mann for a Change of Proffers and Conditions to remove a condition which limited the uses to office uses only, and to remove a condition for a Stop sign on the property. The parcel is located in the Business (B-1) Use District on a 1.109-acre lot at 8420 Cloverdale Road, Troutville, located at the intersection of Cloverdale Road northbound (Alternate U. S. Route 220) and Ottaway Road, identified on the Real Property Identification Maps of Botetourt County as Section 101B(4), Parcel 1G, with the following proffered conditions: (Resolution Number 17-05-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The existing tree line along the right side of the property adjacent to the ditch will be saved.
2. Owners will maintain a road maintenance agreement with Ceola Holding, LLC, for the repair and maintenance of Ottaway Road. The obligations assumed by owners under this agreement shall run with the land and obligate all future owners of the above 1.109 acres.
3. The ingress/egress to the project site shall be Ottaway Road.

A public hearing was then held on a request in the Amsterdam District from Botetourt Properties, LLC, for a Special Exception Permit in the Business (B-2) Use District for a medical care facility, with possible conditions, on a 1.57-acre lot on Roanoke Road (U. S. Route 220), located approximately 0.09 miles south of the Wendover Road (Route 794) intersection with Roanoke Road, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 82B.

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

Mrs. Nicole Pendleton, Planning Manager, stated that the applicant is proposing a multi-tenant building for this property. She noted that typical office and retail uses are currently allowed in both the Business B-1 and B-2 Use Districts, however, the proposed medical care facility requires that a Special Exception Permit be obtained. Mrs. Pendleton further stated that the proposed office and retail uses are consistent with nearby medical care facilities.

She noted that staff had encouraged the applicant to consider principles of access management when siting the driveway and commercial entrance locations. She then displayed the proposed site plan and noted that the 2009 plat showed a 50-foot ingress and egress easement on the southern portion of the property with an existing 20-foot sewer easement on the north side of this 1.57 acre parcel.

After discussion, Mrs. Pendleton noted that DaVita, Inc., is currently surveying the southern Botetourt area for a location to meet their requirements for a dialysis center. She noted

that the requested SEP was specifically for a medical care facility and the four other suites in this proposed office building would each be approximately 1,500 square feet in size.

After questioning by Mr. Williamson regarding the remaining proposed office space being allowed by-right in the Business B-2 District and Mr. Jamison being required to submit the SEP only because of the proposed medical care facility, Mrs. Pendleton stated that this was correct. She noted that, should the applicant not proceed with the medical care facility, a site plan and VDOT requirements would still be necessary for this proposed development but the applicant would not be bound to the SEP conditions.

After questioning by Mr. Dodson regarding other Business B-2 uses, Mrs. Pendleton responded that all Business B-1 permitted uses would be allowed within the Business B-2 Use District and then read the list of permitted B-2 uses.

After further discussion, Mr. Dodson confirmed that Mr. Jamison had additional options for the use of this property.

Mrs. Pendleton then read the Planning Commission's recommended conditions for this request—the Special Exceptions Permit will exclude drug rehabilitation facilities; and the project will be constructed in substantial conformance to the undated "Proposed Medical Facility/Retail Outlet Conceptual Plan Botetourt Properties, prepared by Jamison Design, LLC" and included with the background report prepared by staff.

Mr. Steve Jamison, applicant, stated that this request for a medical care facility might or might not be with DaVita, Inc., and he reiterated the exclusion of a drug rehabilitation facility on this property.

Dr. Scothorn commented that a dialysis center was greatly needed in Botetourt County.

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

There being no further discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the request in the Amsterdam District from Botetourt Properties, LLC, for a Special Exception Permit in the Business (B-2) Use District for a medical care facility on a 1.57-acre lot on Roanoke Road (U. S. Route 220), located approximately 0.09 miles south of the Wendover Road (Route 794) intersection with Roanoke Road, identified on the Real Property Identification Maps of Botetourt County as Section 101, Parcel 82B, with the following conditions: (Resolution Number 17-05-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The special exception permit will exclude drug rehabilitation facilities.
2. The project will be constructed in substantial conformance with the undated "Proposed Medical Facility/Retail Outlet Conceptual Plan Botetourt Properties, prepared by Jamison Design, LLC," and included with the background report prepared by staff.

A public hearing was then held on a request in the Amsterdam District from Jaycee Ventures, LLC, to rezone 14.97 acres from a Residential (R-1) Use District to a Residential (R-3) Use District, with possible proffered conditions, to provide residential opportunities at a higher density than the R-1 and R-2 districts on a parcel located on Catawba Road (State Route 779) approximately 0.69 miles west of the Catawba Road intersection with Roanoke Road

(U. S. Route 220) on the Real Property Identification Maps of Botetourt County as Section 100, Parcel 35A.

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

Mr. Drew Pearson, County Planner, stated the subject property has approximately 270 feet of frontage along the south side of Catawba Road and is located across from the Catawba Road/Wetherwood Drive intersection. He stated that the property also has approximately 50 feet of frontage on Mimosa Street, located in the adjacent Tinkerview Gardens Subdivision to the east, and also adjoins the Norfolk-Southern Railway to south. He noted that there are also underground gas lines on this property and portions of the parcel are located in the FEMA Regulatory Floodplain Zone A.

After questioning by Mr. Williamson, Mr. Pearson indicated that approximately one acre of this property located near the railroad tracks is located in the floodplain.

Mr. Pearson stated that there is vacant property to north, east, and west of this parcel which is zoned Residential R-1 and property to south which is zoned Residential R-1 containing single family dwellings, as well as vacant land zoned Agricultural A-1.

Mr. Pearson said the applicant indicated that rezoning to Residential R-3 would allow the property to be marketed for multiple residential opportunities in order to increase the County's affordable housing stock.

After discussion, Mr. Pearson said that after the Planning Commission meeting, the applicant submitted the following proffered condition--"There shall be a maximum of two structures to be developed as "dwellings, multi-family," with a maximum of 8 units per each building, for a maximum of 16 multi-family units."

Mr. Pearson stated the purpose of Residential R-3 is to allow increased density. He explained that Residential R-1 permits public uses such as churches and schools, which could also be done in Residential R-3, but a R-3 designation expands residential use options through either single family dwellings, duplexes, zero lot line residential structures, single family dwellings, attached (also known as townhomes), plus apartments.

Mr. Pearson stated that the 14.97 acre property could be developed into approximately 28 Residential R-1 lots but, with R-3 zoning, there could be approximately 32 single-family detached dwellings. He noted that, if duplexes are constructed, there could be 52 total units permitted on this property; or 52 units of zero lot line homes; or about 68 single-family attached dwellings (townhomes). Mr. Pearson further estimated that there could be approximately 108 multi-family units constructed on this property.

After discussion, he stated that issues such as topography, floodplain, utilities and open space would have to be taken into consideration for the total number of dwelling units based on the chosen housing option. Mr. Pearson also stressed that another public hearing for a Special Exception Permit would be needed to increase density for additional units; however, the actual housing unit numbers would probably be a little less based on site engineering. He noted that, if an applicant/developer came in with no proffers, then eight multi-family units per net acre could be built without the need to create new streets.

Mr. Pearson stated that the Comprehensive Plan calls for medium density residential in this area as follows, "...higher density residential development such as townhomes and apartments may also be suitable" and "...Most of these areas are and will be located in the southern portions of the county."

He further pointed out that public water and public sewer was required and available from the Western Virginia Water Authority to serve this site and the property is located in the Troutville Fire and Rescue response area.

Concerning traffic data, Mr. Pearson noted that the 2015 VDoT traffic data indicated an estimated 4,800 vehicles per day on Catawba Road, and 170 vehicles per day on the 50-foot stub on Mimosa Street to Catawba Road. Mr. Pearson further noted that VDoT comments on this proposal indicated a Traffic Impact Analysis study would be necessary to determine if left or right turn lanes were needed for any public roads or change of use, including multi-family residential.

Mr. Pearson noted that two written comments had been received by the Planning Department and, during the Planning Commission meeting, eight area property owners spoke in opposition to the anticipated higher traffic volume and overcrowding in the schools.

He stated it was staff's goal to help illustrate the different residential use areas allowed between R-1 and R-3 zoned use districts. Referring to a table in the background report, Mr. Pearson reviewed the various types of residential uses allowed and their densities for development of this property. He stated that the 14.97 acre parcel could be developed under ideal conditions for single family detached dwellings in Residential R-1 with a minimum 20,000 square foot lot size with approximately 28 lots, which would generate about 270 vehicle trips per day. Mr. Pearson further stated that single family detached Residential R-3 lots would be smaller in size and limited to 2.5 units per net acre (excluding right-of-way, stormwater, and floodway areas). He estimated that a 32 lot development at 9.57 trips per lot would generate 306 vehicle trips per day. Mr. Pearson then stated there could be 4 duplexes per net acre (approximately 52 units) each of which would generate 6.59 trips equaling 342 vehicle trips per day.

Mr. Pearson explained that zero lot line units had a required setback on one side of the structure and no setbacks on the other side. He further explained that at an estimated 52 units on this parcel at 9.57 trips per day per unit would equal 497 vehicle trips per day. For single family attached, he stated that there could be a maximum of 68 units, at 5.86 trips per day, resulting in 398 vehicle trips per day. Mr. Pearson stated that a multi-family residential development could have 8 units per net acre, or 108 apartment units, and that at 6.59 trips per unit, the development would generate 711 vehicle trips per day. Mr. Pearson stated that the developer could construct private drives in a multi-family residential development, which would not be subtracted from the allowable density, but areas for stormwater, 10% open space, and floodways could not be counted when calculating multi-family density.

Mr. Williamson then questioned if Mr. Pearson had calculated 16 apartments and a mix of single family dwellings.

Mr. Pearson explained the proffer from the applicant had been received late yesterday, and he had not made any calculations based on that scenario. Mr. Pearson then stated that the Planning Commission had recommend approval of this request on a 3 to 2 vote.

After questioning by Mr. Dodson regarding VDoT's traffic study requirements, specifically a site plan for this proposed development, Mr. Pearson responded that VDoT would require construction drawings for the project before providing any detailed response regarding development of the property. Mr. Pearson further noted that it was his understanding that the applicant had contacted VDoT about this project.

After questioning by Mr. Williamson regarding the location of the gas line on this property, Mr. Pearson stated that the aerial map indicates that the gas line dissects the property from north to south.

Mr. Pearson further stated that the flood hazard overlay ordinance would require study of the floodplain when a development involves more than five acres or 50 new lots and the result of the study may also further impact the number of residential lots that may be able to be developed on the property.

Mr. Pearson further noted that the estimated residential lots were based on a proposed 50' right-of-way which would remove about two acres from the developable property area.

After questioning by Mr. Williamson regarding a potential conflict of interest with this request as he is a member of Roanoke Gas Company's Board of Directors, Mr. Lockaby stated that he would review this issue and provide Mr. Williamson with his opinion in a few minutes.

After questioning by a member of the audience regarding the size of the hole if the gas line exploded, Mr. Leffel asked the individual to wait until the public hearing on this request was opened to make his comments.

Mr. Chip Lawrence, applicant, then stated that over last two to three years, as the County has become more exposed to industry, he has heard of the need for affordable housing. Mr. Lawrence noted that he had studied the Comprehensive Plan to see if this proposed development would fit in this area. Mr. Lawrence said that he purchased this property not to fill it with apartment buildings.

Mr. Lawrence stated he heard the community's concerns at the Planning Commission meeting regarding the high number of possible multi-family units that could be constructed on this property and agreed that it was a reasonable concern. He explained that the proffer was submitted so that the project would not be strictly apartment buildings. Mr. Lawrence further stated the need to keep the costs associated with the project to a minimum, as every dollar counted and any concept or architecture would increase development costs. Mr. Lawrence stated that he desired to have a combination of apartments and small single family dwellings with zero lot lines on this 14 acre parcel and he was also working to purchase additional property adjacent to this site.

After questioning by Mr. Dodson as to whether a developer had been chosen for this site, Mr. Lawrence stated that there has not been a big push to find a developer for this property prior to the rezoning. Mr. Lawrence stated that he was involved in the Ballast Point project and he received calls weekly requesting information on affordable housing opportunities in Botetourt.

After discussion, Mr. Lawrence stated that he discussed this project with VDoT. He noted that there is a lot of work to be done on the site's access; however, VDoT said it was doable. Mr. Lawrence said he had evidence of all utilities available to serve this property but he did not yet have a developer.

Mr. Lockaby then stated that Mr. Williamson could participate in the discussion on this rezoning request. He noted that, if Mr. Williamson could judge this proposal fairly and objectively, then he could vote on this request. He further stated that Mr. Williamson would first need to declare his interest.

Mr. Leffel then opened the public hearing and reminded the audience to keep their comments within the three-minute time limit.

Mr. Gary Friel of Camelia Drive in Daleville stated that he opposes this request. Mr. Friel stated that he does not like apartments as they would drive property values down and voiced additional concerns regarding increased traffic, a large number of children increasing the school population, and neighborhood safety.

Mrs. Jennifer Lorman of Wentworth Lane in Daleville stated that she has lived in the County for 10 years and has a conflict with this proposal. Mrs. Lorman cited a reduction of property values, safety, and impact on schools as the reasons for her opposition.

Mrs. Lorman stated that she moved to Botetourt for the specific reason of less congestion. She stated that the bike route and the athletic facility on Etzler Road have added extra traffic on Catawba Road but this supports tourism. Mrs. Lorman further stated that, if this request were approved, the County would be losing its vision.

Mrs. Lorman further requested that the County should have better communicated this issue with the community and noted that the public hearing ads were published in The Fincastle Herald and many citizens did not subscribe to this newspaper. Mrs. Lorman stated that she searched on the County's website for two hours and then clicked on the Board's agenda to find information about this proposal.

Mrs. Stormy Bishop of Mimosa Street in Daleville and a 49-year County resident stated that she lives here for a reason and did not want apartments in this area. Mrs. Bishop stated that the property should stay as R-1 due to a "ridiculous" amount of traffic that the development would generate. She noted that Route 779 currently needs a turning lane and there are patio homes and duplexes already located in this immediate area. Mrs. Bishop stated that more information was needed on this proposal.

After questioning by Mr. Charles Leonard of Camelia Drive in Daleville regarding how big a hole the gas line would make if it blew up, Mr. Williamson stated that the gas line through this area was built in the 1950s. He noted that it is a heavy wall, 475 pound pressure per square inch gas line and it is frequently monitored for defects.

Mr. Leonard then stated that his property is already impacted by the floodplain. He stated there was nothing planned in this proposal, there was no thought given to this project, and Mr. Lawrence had stated that he may acquire more property. Mr. Leonard stated that, if this property was rezoned to R-3, then Mr. Lawrence would want to rezone the adjacent 28 acres to R-3 as well. Mr. Leonard said that, if the other property were rezoned, there would be 96 houses, 165 zero lot line units, and 324 multi-family units that would add a quarter of the total amount noted in the Comprehensive Plan.

Mr. Leonard questioned who could guarantee that the new industries' employees would want to live in Botetourt and noted that Mr. Lawrence had not yet found a developer for this property. Mr. Leonard referred to Mr. Pearson's comment that apartments might be suitable and said there was no determination that apartments were suitable for this property and again stated his opposition to this request.

Mr. Chuck Brinkman of Camelia Drive in Daleville stated that he had a petition containing signatures of 50 residents who are opposed to this request. He further stated that, as a resident and real estate investor, he had several concerns--if this property was rezoned, then the adjacent parcel would be rezoned and the number of units would increase, and traffic would use Mimosa Street and Camelia Drive to access Route 220.

Mr. Brinkman stated that the Board has both responsibility and leverage regarding this request, and based on the Planning Commission's comments, they did not think that apartments were a good idea for this property. He further stated that R-3 would allow Mr. Lawrence to do that and, rather than Mr. Lawrence submitting a plan, the Commissioners said Mr. Lawrence would be held accountable for the type of development located on this property. Regarding leverage, Mr. Brinkman asked why the Board would agree to this rezoning without a definite plan for the property and why not make the developer disclose his plans.

Mr. Brinkman further noted there are currently 77 houses under \$225,000 listed for sale in this area and also stated that there was no public notice provided on the applicant's proffered condition.

Mrs. Jill Higdon Cook of Azalea Road in Daleville stated that she opposes the request due to overcrowding schools, traffic, property values, safety of kids, and school bus safety.

Mr. Robert Higdon of Camelia Drive then stated his opposition to this request.

Mrs. Cathryn Ostermann of Cambridge Drive stated that she opposes this request and noted that she brought her child who rides her bike on Azalea Road to this meeting. She further noted the traffic difficulties she and her walking partners have had in this area and commented that she had spoken to the County and had been told that Azalea Road was the Route 220 bypass. Mrs. Ostermann said she had also requested three-way and four-way stop signs be placed at some of the area's intersections.

After questioning by Mr. Dodson, Mrs. Ostermann said she spoke with Mr. Ron Smith about her traffic concerns and she had called so many times that his office would no longer take her calls. Mrs. Ostermann also said she called the Sheriff's Department regarding people speeding at 50 mph through these residential streets and the businesses whose employees drive above the posted speed limit.

After questioning by Mr. Williamson, Mrs. Ostermann said she gave up making her requests a couple of years ago. Mr. Williamson noted that he had never heard a request for a three-way stop sign in this area, which is unrelated to this rezoning request.

Mr. Dodson commented he would reach out to Mr. Kevin Hamm with VDoT about this matter.

Mr. Matt Brown of Daleville stated that he and his wife have a child and are able to afford a house in Botetourt. Mr. Brown noted that he works outside of the County and, until a legitimate proposal was presented for this property, he did not believe this request should be approved. Mr. Brown then described heavy traffic problems on Catawba Road, having to guess when to pull out from his side street into this traffic, and multiple car accidents occurring because of the lack of visibility seeing cars coming around the curve. Mr. Brown further noted that there was a large amount of land in Buchanan near Mr. Lawrence's house and suggested building these apartments there.

Mr. Allen DeWeese of Cricket Lane in Troutville stated that he is a lifelong County resident, builder, and developer. Mr. DeWeese noted that he developed Medallion Hills and was the first builder to construct two houses in Wetherwood Subdivision. Mr. DeWeese stated that it is not just younger people with children looking for affordable housing in the County; there are also older citizens who want to downsize. Mr. DeWeese further stated that he would go to Buchanan to construct apartments or townhomes, but there was no public water or sewer service available outside of Buchanan's town limits. Mr. DeWeese said a developer could still do nice, smaller homes with the current R-1 zoning, but they would have to have decent numbers to make the project financially viable. He also stated that a rezoning from R-1 to R-3 would not be that dramatic for this area.

Mr. Steve Jamison of Jamison Farm Lane in Troutville stated that he designs and constructs houses and some commercial projects in the County and was neither for nor against this request. Mr. Jamison stated that, when he worked with Mr. Tim Lucas recently to obtain a Special Exception Permit, they were required to provide a concept plan. He requested that the County have a "level playing field" and alleviate the neighbors' concerns by requiring a concept plan for this application.

Mr. Leffel then stated that he appreciated everyone attending the meeting to speak on this request.

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

Mr. Dodson expressed his appreciation for everyone's attendance at this meeting. He apologized to the citizens for not returning their calls and explained that a voicemail malfunction on his telephone had been corrected. Mr. Dodson stated that he understood the citizens' concerns regarding traffic issues that might be created by this development.

A citizen then interrupted him and said that a traffic study had been requested in December 2016.

Mr. Dodson noted that several hundred new jobs will be created in the County in the next few years and various developers currently have approximately 400 apartments in the works. He stated that there is a need to consider an apartment mix and look at numbers. Mr. Dodson stated that he did not think that the Board had previously approved a residential rezoning without a site plan.

Mr. Williamson noted that Mrs. Lorman had stated that the citizens did not know about this request. He commented that, although adjoining property owners receive notification of these hearings and public hearing ads were published in The Fincastle Herald, she had a legitimate complaint.

After questioning by Mr. Williamson regarding the approval of rezoning applications without a concept plan, Mrs. Pendleton stated that the only application she could recall that was submitted without a plan was a Special Exceptions Permit (SEP) for the assisted living facility behind Kroger but that was not a rezoning request.

After questioning by Mr. Williamson, Mr. Lawrence confirmed that he had no options or a timeline for this project and its development.

Dr. Scothorn stated that from the comments he saw a "stressed" community over the uncertainty regarding this request. Dr. Scothorn said he was worried about the impact of individual safety, and while he did not want to leave the property owner as a prisoner, Mr. Lawrence needs to work things out with VDoT, the community, and a builder on the proposal for this property. Dr. Scothorn stated that he would like more information so everyone could be a part of this development. Dr. Scothorn further noted that he agreed with Mr. Dodson's previous comments.

Mr. Martin noted that at the Planning Commission meeting there were ten citizens who spoke in opposition, one in favor, and one was neutral on this request. Mr. Martin stated that some citizens said that they did not want apartments in this area and had safety concerns about this development. Mr. Martin further stated that he would like to see a site plan for what would be built on this property, including the number of apartments. He noted that possibly Mr. Lawrence could look for other locations for this development or not have such high density proposed for this property. Mr. Martin stated that he was also interested to hear comments on the other side of this issue.

Mr. Charles Leonard then stated that the only drainage was piped under the railroad and there are issues with Tinker Creek backing up during heavy rain events.

Mr. Williamson stated that he had been affiliated with the natural gas business and had never had a fatality in 25 years. Mr. Williamson stated that as the citizens may know the Board went through a strategic planning process a couple of years ago, which included future planning for recreation and culture. He further stated there would be some growth, infill, and development of adjoining properties, and that the question was regarding the density level.

Mr. Williamson stated that the citizens who spoke at this hearing raised good points but he did not want people to think that this property would never be developed. Mr. Williamson then noted that Greenfield Elementary School currently has more student capacity than any other County elementary school, except for Eagle Rock.

A citizen said she had asked someone at the Board Of Education for student population figures and could not get them.

After further discussion, Mr. Williamson disclosed that Greenfield Elementary was at approximately 80% capacity and, if she contacted the School Board Office, the numbers should be available.

After questioning by Mr. Williamson, Mr. Lawrence verified that he is the owner of this property. Mr. Lawrence stated that he was interested in hearing Mr. Williamson's concerns absent a concept plan for this property.

Mr. Williamson said he understood concept plans would drive up the price and questioned if Mr. Lawrence was interested in tabling this request until a concept plan could be developed.

Mr. Lawrence responded that Mr. Williamson was correct with his comments that development would happen at some point on this property. He further stated that there should not be any discussion about any other property because he would have to come back before the Commission and Supervisors with any proposed rezoning request. Mr. Lawrence said that net lot cost was an issue as the costs of development increase. Mr. Lawrence stated that there was no question that this property would be developed, although he, personally, did not have the appetite to develop this property.

Mr. Lawrence then said that he was not interested in tabling this request. Regarding a citizen's comments regarding developing apartments on Wheatland Road, Mr. Lawrence said he would be glad to sell that individual property to build apartments. Mr. Lawrence stated that he was a part of this community. He noted that it is interesting to talk of Botetourt residents that drive to Roanoke for work and those individuals that live in Roanoke and Franklin County that work in Botetourt and would not mind living here. Mr. Lawrence further stated that he did not want to spend money to draw a picture that would be one-tenth of a hundredth of a percent of what is conceptually built because whatever site plan he would give the Board now would only be "pie in the sky" and would be nothing but an additional cost to drive up dollars on the property's net lot costs.

Mr. Williamson stated that the Board had to vote either yes or no or this request. He noted that, if the vote was yes, then Mr. Lawrence could proceed with finding developers for this 14 acre parcel; if the vote is no, then the property could still be developed as R-1. Mr. Williamson further stated that, if the request was denied by the Supervisors, no additional rezoning application could be requested for one year, or if this request is withdrawn, there would be a 90-day waiting period before an additional request could be submitted.

Mr. Lawrence said that "three months or a year from now would not change the way anyone thought" on this proposal. He said that the County had to decide what it wanted to do as far as affordable development options. Mr. Lawrence stated that the Board had done a Comprehensive Plan update and this proposal fits perfectly with the Plan.

After discussion, Mr. Lawrence noted that he was trying to be affordable with this proposal and not waste money. Mentioning some by right uses, Mr. Lawrence stated that he was not going to construct 100 apartment units on this parcel, and if it did not work, it did not work.

He stated that someone else could come in and develop this property who had “zero reputation” in the County.

Mr. Leffel pointed out that Dr. Scothorn had a good point when he said that the Board was here to consider both sides of this proposal and come up with the best decision. He mentioned that on one hand there was growth and on the other hand is the neighborhood. He then noted the Board’s commitment to the Comprehensive Plan and the desire to bring people here to live and work in order to make Botetourt more sustainable.

He stated his concerns to Mr. Lawrence regarding approving this request without a site plan and questioned what would happen with the next applicant who requests the same concession. Mr. Leffel stated that was his major problem--setting a precedent of not requiring a concept plan--which could take away some of the County’s development control.

Mr. Williamson then stated that, as there is a natural gas line through this property, and for the record, that he was Chairman of Roanoke Gas Company. Mr. Williamson stated that he did not think that his position created a conflict for him to the point that he could not make a reasonable policy or decision regarding this rezoning request. Mr. Williamson further stated that, if he voted in the interest of Roanoke Gas Company, he would want as many apartments as possible on this property.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board denied the request in Amsterdam District from JayceeJ Ventures, LLC, to rezone 14.97 acres from the Residential (R-1) Use District to the Residential (R-3) Use District with possible proffered conditions, to provide residential opportunities at a higher density than the R-1 and R-2 districts. This parcel is located on Catawba Road (State Route 779) approximately 0.69 miles west of the Catawba Road intersection with Roanoke Road (U. S. Route 220) on the Real Property Identification Maps of Botetourt County as Section 100, Parcel 35A, due to concerns that there was no development plan or concept presented for the property. (Resolution Number 17-05-20)

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

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the Chairman adjourned the meeting at 7:45 P. M.