

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, July 25, 2017, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:45 P. M.

PRESENT: Members: Mr. L. W. Leffel, Jr., Chairman
Mr. Todd L. Dodson, Vice-Chairman
Mr. Billy W. Martin, Sr. (arrived at 12:58 P. M.)
Mr. John B. Williamson, III

ABSENT: Members: Dr. Donald M. Scothorn

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 12:49 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 requiring legal advice as per Section 2.2-3711A (1), (3), (5), and (8) of the Code of Virginia of 1950, as amended. (Resolution Number 17-07-01)

AYES: Mr. Williamson, Mr. Leffel, Mr. Dodson

NAYS: None

ABSENT: Mr. Martin, Dr. Scothorn

ABSTAINING: None

Mr. Martin arrived at 12:58 P. M.

The Chairman called the meeting back to order at 2:01 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 17-07-02)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

BE IT RESOLVED, that to the best of the Board members' knowledge only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed or considered during the Closed Session.

Mr. Leffel welcomed everyone to the meeting and asked for a moment of silence.

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

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 Mr. Dodson, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 17-07-03)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Approval of minutes of the regular meeting held on June 27, 2017;

Approval of the following transfers and additional appropriations:

Transfer \$1,043.79 to Sheriff's Department – Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from the various departments as follows for vehicle repairs at the County garage:

\$ 33.36 Dep. County Admin.–Repairs & Maint.–Veh., 100-4012120-12120-3312
 \$505.23 Comm. Dev. - Repairs & Maint.–Veh., 100-4081200-81200-3312
 \$115.59 Animal Control–Veh. & Power Equip Supp., 100-4035100-35100-6009
 \$116.53 Fire & EMS – Repairs & Maint. – Vehicles, 100-4035500-35500-3312
 \$ 18.85 Library – Repair & Maint. – Vehicles, 100-4073100-73100-3312
 \$ 62.99 Gen. Services – Repairs & Maint. – Vehicles, 100-4040000-40000-3312
 \$140.13 Parks & Rec–Veh. & Power Equip. Supplies, 100-4071100-71100-6009
 \$ 18.69 Sports Complex – Repairs & Maint. – Veh., 100-4071300-71300-3312
 \$ 32.42 Van Program – Repairs & Maint. – Veh., 100-4071500-71500-3312

Additional appropriation in the amount of \$6,574.10 to Sheriff's Department – Special Law Enforcement, 100-4031200-31200-5880. This is the portion of FY17 traffic fine proceeds payable to the Town of Buchanan per the County's contract for law enforcement services. This payment is included in this month's Accounts Payable disbursements.

Additional appropriation in the amount of \$1,671.39 to the following Sheriff's Department accounts: \$1,260.00 to Forest Patrol Salaries, 100-4031200-31200-1900; \$96.39 to FICA, 100-4031200-31200-2100; and \$315.00 to Vehicle Supplies, 100-4031200-31200-6009. These are reimbursement of expenses relating to National Forest patrol.

Additional appropriation in the amount of \$2,503.47 to the following Sheriff's Department accounts: \$2,470.75 to Subsistence & Lodging, 100-4031200-31200-5530; \$27.68 to Vehicle Supplies, 100-4031200-31200-6009; and \$5.04 to Fuel, 100-4031200-31200-6008. These are reimbursed funds for extradition expenses.

Additional appropriation in the amount of \$483.99 to the following Sheriff's Department accounts: \$123.99 to Uniforms, 100-4031200-31200-6011; and \$360.00 to Raid Patrol, 100-4031200-31200-5830. These are reimbursed expenses.

Additional appropriation in the amount of \$3,041.48 to the following Correction & Detention accounts: \$2,891.48 to Medical and Lab Supplies, 100-4033100-33100-6004; and \$150.00 to Uniforms, 100-4033100-33100-6011. The former is for a reimbursement from Craig County and the latter is for a contract payment.

Additional appropriation in the amount of \$700 to Volunteer Fire & Rescue – Instruction & Training, 100-4032200-32200-3180. These are funds received for EMT student books and testing fees.

Additional appropriation in the amount of \$36,988.64 to Volunteer Fire & Rescue – County Volunteer Rescue Squads, 100-4032200-32200-5651. These are Four-for-Life funds received from the State.

Additional appropriation in an amount up to \$3,850.42 to the Property Seizure Proceeds Fund – Sheriff's Office – Federal Justice. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$60,016.33 to the Property Seizure Proceeds Fund – Sheriff's Office – State. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$137,988.13 to the E-Summons Fund. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$10,570.06 to the Asset Forfeiture Fund – Commonwealth’s Attorney – State. This provides the authorization to expend these funds based upon predetermined expenditure guidelines; and,

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

Regarding committee reports, Mr. Williamson stated that the committee reviewing Class 1 trash collection requests for proposals consisting of himself and Mr. Leffel met with staff last week for an initial review of the submitted documentation. He noted that interviews of the proposers will be scheduled in the coming weeks and a recommendation will be brought before the full Board in August or September for consideration.

Mr. Williamson further noted that a GO Virginia meeting was held earlier today. He noted that this group was developed to work for regional cooperation on private-sector growth, job creation, and career readiness. He noted that this group is making progress on development of a regional GO Virginia plan which will impact Botetourt County.

Consideration was then held on various appointments.

On motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the Board reappointed Mr. David Moorman (Tony Zerrilla, alternate) as the County’s representative on the Community Policy and Management Team for a two year term which will expire on September 1, 2019. (Resolution Number 17-07-04)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

On motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board reappointed Mrs. Julia Robinson as the parent representative on the Community Policy and Management Team for a two year term which expires on September 1, 2019. (Resolution Number 17-07-05)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

After questioning by Mr. Williamson, Mr. Larowe stated that the CPMT is responsible for the management of funds through the Comprehensive Services Act (CSA) program for at-risk children.

Mr. Tony Zerrilla, Director of Finance, stated that the CPMT reviews caseloads and takes steps to obtain treatment options for at-risk children. He noted that the County has a CPMT which oversees the financial side of the CSA program and the Family Assessment Planning Team (FAPT) that determines which programs are available to assist/treat their clients.

On motion by Mr. Dodson, seconded by Mr. Martin and carried by the following recorded vote, the Board reappointed Mr. Tim Snyder as the Amsterdam District representative and Mr. Garland Humphries as the Buchanan District representative on the Parks and Recreation Commission for four year terms to expire on September 1, 2021. (Resolution Number 17-07-06)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

On motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board ratified the appointment of Ms. Lisa Garst as an at-large member of the Blue Ridge Behavioral Healthcare Board of Directors for a term to expire on December 31, 2019. (Resolution Number 17-07-07)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

After discussion, Mr. Leffel then appointed himself and Mr. Williamson to serve on a County Solid Waste Committee to review the County's future solid waste disposal options.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board reappointed Mrs. Annette Clark as the County's representative on the Local Office on Aging's Advisory Council for a four year term to expire on April 1, 2020. (Resolution Number 17-07-08)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Mr. Cody Sexton, Management Assistant, then gave a report on the recent activities of the Greenfield Preservation Advisory Committee. He noted that on July 11 the Committee held a community meeting to receive feedback on the Hill Studio proposal for the Greenfield historic area's master plan. He noted that this area is estimated to consist of approximately 30 acres.

Mr. Sexton stated that approximately 50 people attended the meeting. He noted that this proposal for a passive recreation area pertains to "assets that are linked by place and not necessarily time."

Mr. Sexton noted that Hill Studio is working with staff and the Committee members to refine the master plan for presentation at the group's August 8 meeting. He noted that the final version of the master plan and the Committee's recommendations will be presented to the Board of Supervisors in October or November.

After questioning by Mr. Dodson, Mr. Sexton noted that there was generally positive feedback about the master plan proposal from the citizens who attended the community meeting. He noted that the proposal includes a phased development of the historic area.

After questioning by Mr. Williamson, Mr. Sexton stated that the old maps of the Greenfield property showed the historic preservation area containing approximately 28 acres; however, based on current and future roadway locations, buffer areas, power line and other easements, Hill Studio currently estimates that the historic area consists of approximately 35 - 36 acres. Mr. Sexton stated that there is a steep hill north of the site's second cemetery which would be a natural boundary.

Mr. Williamson then suggested that, in future budget discussions, funding for a community meeting space be developed. He noted that the early developmental plans for Greenfield

included a proposed visitors center to be located on this site which could be used for meetings, community dinners, etc.

Mr. Sexton stated that a community meeting space for this site has been discussed by the Committee but no final determination has been made.

Mr. Williamson noted that he would be interested in seeing a recommendation that included the community center.

Mr. Dodson noted that he and Mr. Larrowe met with the Botetourt Historical Society a couple of weeks ago and began discussions regarding the long-term planning and their assistance in the site's future development in order to keep the site "up and running" and functioning in the future.

After questioning by Mr. Leffel, Mr. Sexton stated that approximately 50 people attended the public input session.

Mr. Dodson noted that the Historical Society members stated that the community meeting was a positive event.

The Board then thanked Mr. Sexton for his update.

Mr. Ken McFadyen, Director of Economic Development, was then present to give the Board an update on the Greenfield business park property. Mr. McFadyen noted that a site location advertisement about the County was placed in Delta Sky magazine which was placed on every Delta Airlines flight during the month of April. He noted that this ad has received a "superior" designation from the Southern Economic Development Council and the County will be presented with this award at the group's annual meeting in August.

Mr. McFadyen then noted that he has been employed by the County for a year.

Mr. McFadyen stated that, since the currently available sites on the Greenfield property are being developed, the County needs to begin planning for the eventual build-out of the park. He stated that there are approximately 400 undeveloped acres currently remaining in the business park-designated section of Greenfield.

He noted that last fall a site characterization study agreement was entered into with the Virginia Economic Development Partnership for an approximate 133 acre parcel referred to as Tract 1 on the northern side of Greenfield. Mr. McFadyen noted that a preliminary engineering report on this site shows that there are water and natural gas utilities currently on this site but sewer, an access road, and stormwater management facilities need to be extended to the property. He noted that this work is estimated to cost \$2.9 million.

Mr. McFadyen stated that this infrastructure will help the County prepare and gauge our return on investment for the development and future sale of this property.

After questioning by Mr. Williamson, Mr. McFadyen stated that based on the topography of the site, he would estimate that 2/3 of the 133 acre parcel may yield a usable economic development site; however, it would depend on the geotechnical results and the grading calculations.

Mr. McFadyen noted that access to the southwest quadrant of the Greenfield property would require an approximate 3,500' roadway around the new shell building to connect with International Parkway. He stated that there is an immediate need to develop these sites and construct building pads. Mr. McFadyen stated that there is approximately 100 acres in this area that could yield four building pads of 15 – 20 acres each.

After questioning by Mr. Dodson, Mr. McFadyen stated that the building pad site which was constructed with material graded from the Eldor site consists of approximately 13 acres.

Mr. McFadyen noted that the County also needs to update the aerial photographs of the Greenfield property to show recent development on the property.

After questioning by Mr. Martin, Mr. McFadyen stated that the new shell building is on an approximate 20 acre parcel.

After discussion by Mr. Williamson, Mr. McFadyen stated that the County will discuss construction funding assistance for the northern extension of International Parkway with VDOT.

Regarding the northeastern quadrant, Mr. McFadyen noted that this area consists of approximately 167 acres north of the historic preservation area. He noted that it has been discussed for many years that the extension of International Parkway to reconnect with U. S. Route 220 would go through this area. He noted that some engineering work on this area has been completed; however, utility extension cost estimates are needed, and the due diligence studies need to be updated. Mr. McFadyen noted that the environmental site assessment for the remaining Greenfield property was updated in April and they will avoid the property's resources, e.g., historical assets, when possible.

Mr. Williamson noted that a 75% yield of this acreage for suitable development sites is a "wild guess."

Mr. McFadyen noted that it is estimated that approximately 80 – 90 acres in this area would be available for building pad sites.

After questioning by Mr. Dodson, Mr. McFadyen stated that the County has conducted test borings on this site.

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

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 going very well. He noted that the roundabout is in place and paving work is ongoing. Mr. Hamm stated that some questions were raised about the size of the roundabout's travel lanes. He noted that their engineers have said that the lanes are appropriate and will be able to handle tractor trailer-sized vehicles.

Mr. Hamm stated that there are currently five different groups of projects ongoing on I-81 in the County including the Exit 150 project, spot pavement improvements near the weighing scales, pavement upgrades north of Exit 150, maintenance work north of Exit 168, and work on upgrades to the I-81 bridge across the James River at Buchanan. He noted that the pavement improvements near the scales are being handled by the Division of Motor Vehicles. He stated that this project includes raising some of the pavement slabs, removing others, and doing sub-grade work before repaving can occur. Mr. Hamm noted that it is anticipated that all of this paving-related work will be completed in late fall/early winter.

After questioning by Mr. Williamson regarding the Route 11 bridge replacement project across Beckner Branch, Mr. Hamm stated that this project has an estimated completion date of this fall.

Mr. Williamson stated that traffic in the two northbound lanes on this project has been diverted into one of the southbound lanes. He noted that, in the area beyond the construction

zone where the traffic merges back into 2 northbound lanes, there are some potholes in the white line area along the right-hand side of the roadway that need to be repaired.

Mr. Hamm stated that he will forward this issue to the project's construction manager.

Mr. Hamm further stated that paving projects on various County roadways are progressing smoothly. He noted that paving on Glebe Road and Old Fincastle Road has been completed and the contractor is currently paving Mountain Pass Road. Mr. Hamm noted that repair work and paving of Brugh's Mill Road is still scheduled to be completed this year.

Mr. Hamm stated that VDoT has had three land development/land use permit projects reviewed during the past month and issued twelve utility, private entrance, and commercial entrance permits.

Regarding Traffic Engineering Study requests, Mr. Hamm stated that VDoT is still working on the request for signalization of the Route 460/Webster Road intersection. He noted that as of July 1, new regulations went into effect regarding these types of studies but they expect to have this study completed by August.

Mr. Hamm noted that various area headquarter/in-house projects are underway for several drainage, pavement patching, and shoulder repair projects. He noted that they are preparing some roadways now for additional work scheduled for next year. He further noted that work began yesterday on the Blue Ridge Turnpike/Route 11 intersection to tie in the new pavement section with the older roadway.

Mr. Hamm stated that work on the British Woods Drive Rural Addition project should be completed this summer as they have received all of their approvals for this project. He further stated that work on the Bridge Street North cul-de-sac in Buchanan began yesterday and should be completed in approximately two weeks and the McFall's Road Rural Rustic Road project should be completed this fall.

After questioning by Mr. Martin regarding the land development permit for the Aqua Virginia water line replacement project, Mr. Hamm stated that this work is being conducted at various sites in the County and he will obtain further details on these specific locations and forward them to Mr. Martin.

Mr. Martin noted that the contractor is doing a good job in paving Mountain Pass Road.

After questioning by Mr. Williamson regarding the Lithia Road flood mitigation project, Mr. Hamm stated that VDoT's hydraulics engineer is the project's manager. He noted that work to raise the road's elevation is still scheduled for this fall. Mr. Hamm stated that they cannot relocate the stream channel but plan to clear the woods/brush along the stream bank to help resolve the road's flooding problems.

After questioning by Mr. Dodson regarding Azalea Road, Mr. Hamm stated that he received Mr. Dodson's e-mail but has not had an opportunity to review the submitted information. Mr. Hamm stated that he will forward this request to their Traffic Engineering Department for review. Mr. Hamm further stated that they will need at least 75% of the property owners' signatures in order to proceed with any work on Azalea Road and he will need to check the County's GIS site to see if this percentage has been reached.

After questioning by Mr. Dodson regarding the Route 220 study, Mr. Blevins stated that a meeting was held several weeks ago about Smart Scale projects. He noted that funding is available for these types of planning studies and funding was discussed for such a study along U. S. Route 460. Mr. Blevins stated that VDoT staff are working toward the inclusion of Alter-

nate U. S. Route 220 and Route 220 from Exit 150 to Greenfield in this study. Mr. Blevins noted that this project, which would be a large study, will compete against similar studies for funding.

After questioning by Mr. Martin, Mr. Blevins stated that Aqua Virginia is replacing some of their waterlines along several routes in the southern portion of the County including at least three different areas in Blue Ridge.

Mr. Hamm then stated that VDoT has safety and improvement funds available for a project to close a crossover on Route 460 west of the intersection with Webster Road near the location where the Federal Express tractor trailer wrecked last year. He noted that this crossover is not frequently used.

Mr. Martin then questioned if a crossover could be installed on Route 460 at the entrance to Botetourt Forest Subdivision, located east of the Blue Ridge Post Office. He noted that the subdivision's residents coming from Roanoke currently have to make a U-turn at the Blue Ridge Service Center and then drive west toward Roanoke in order to enter their subdivision. Mr. Hamm stated that he would submit this request to their Traffic Engineering Department.

Mr. Williamson then questioned if the right-hand turn lane on Route 220 northbound onto Brugh's Mill Road (Route 640) could be extended.

Mr. Hamm stated that he believes that VDoT previously reviewed this turn lane extension request but he will check into this matter.

Mr. Williamson stated that a marginal improvement to extend this turn lane would help the traffic flow on Route 220 north.

Mr. Hamm also noted that VDoT has added improvements to the right-hand turn off of Route 220 southbound onto Route 615 (Craig Creek Road) onto their list of possible projects for future safety and operational funding.

There being no further discussion, the Board thanked Mr. Hamm and Mr. Blevins for their updates.

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:02 P. M.

Mr. Charlie Johnson, Development Manager with Apex Clean Energy, Inc., then updated the Board on the Rocky Forge wind farm project. Mr. Johnson stated that they have a lot of ongoing work on this project currently underway at the State level. He noted that utility companies are growing their portfolios in renewable energy and 1.6 gigawatts is expected to be generated by renewable energy sources in Virginia the next few years.

Mr. Johnson stated that the Rocky Forge project needs to set a good example as it is the State's first wind farm. He noted that they have received strong interest from several utility companies in purchasing the electricity produced by this facility. Mr. Johnson stated that they are working diligently toward beginning construction by the end of this year.

Mr. Johnson noted that they value their partnership with Botetourt County on this project and will continue to keep the County up-to-date on their progress.

After questioning by Mr. Leffel, Mr. Johnson stated that they anticipate beginning construction of the wind farm by the end of this year.

After questioning by Mr. Williamson, Mr. Johnson stated that the few remaining permits to be obtained from the State are dependent on project engineering studies. He noted that the

site plan still has to be submitted to the County so that the building permits can be issued and the geotechnical studies and road improvement plans have been submitted to VDoT for review.

After further questioning by Mr. Williamson, Mr. Johnson stated that they have no problems with the “fish and wildlife” agencies and no issues to date with the Army Corps of Engineers on this project.

After further questioning by Mr. Williamson, Mr. Johnson stated that permits still remaining to be obtained include construction permits, stream crossings, and VDoT road improvement permits.

There being no further discussion, the Board thanked Mr. Johnson for his update.

Mr. Larrowe then noted that earlier today he attended a groundbreaking ceremony for the new STEM (Science, Technology, Engineering, and Mathematics) building at Virginia Western Community College. He noted that this program will help direct students into STEM-related occupations and allow them, upon graduation, to transfer into these programs at larger, four-year universities.

After questioning by Mr. Williamson, Mr. Tony Zerrilla, Director of Finance, stated that preliminary audit work for FY 17 has begun. He noted that the auditors have found no issues at this time but will return in September for more detailed reviews of the County’s financial activities. He noted that the County has two sets of auditors review its accounting procedures each fiscal year.

Mr. Zerrilla stated that the County and the auditors will be able to take advantage of the new financial software system in their preparations for the next audit.

After further questioning by Mr. Williamson, Mr. Zerrilla stated that he anticipates scheduling a public hearing on the budget reappropriation resolution in either September or October after the 60 day accrual period.

After questioning by Mr. Williamson regarding how the expenditure accrual process will work with the County’s current appropriation/cash-based system, Mr. Zerrilla stated that he will work with the auditors on this process.

After discussion, Mr. Williamson noted that, as per the Code of Virginia, the County will need to conduct a public hearing on the budget reappropriation resolution as this total amount will exceed 1% of the County’s total budget allocation. Mr. Zerrilla stated that Mr. Williamson’s statement was correct.

Mr. Williamson suggested that Mr. Zerrilla work with the General Fund Budget Subcommittee on this reappropriation/rollover resolution’s contents.

Consideration was then held on the reassignment of a Class 2 garbage collection and disposal franchise. Mr. David Moorman, Deputy County Administrator, stated that the County was notified in early July by Advance Transportation that they had sold their assets and customer listing for their Class 2 clients (those who utilize front- or rear-load containers) to County Waste of Southwest Virginia.

He noted that County Waste, which currently has franchise operations in the County and along the East Coast, provides residential, commercial, industrial, and construction and demolition waste collection services and has approximately 3,400 commercial and industrial customers and over 95,000 residential customers.

Mr. Moorman stated that according to Section 20-21 Approval required before change in disposal arrangement of the County Code, the Board of Supervisors is required to approve any franchise reassignment. He noted that Advance Transportation's franchise agreement with the County for Class 2 services expires on December 31, 2019.

After discussion, Mr. Moorman stated that County Waste is capable and qualified to provide these services and staff recommends approval of this franchise reassignment request.

Mr. Moorman then noted that Mr. Butch Benson of Advanced Transportation and Mr. Delbert Beasley of County Waste of Southwest Virginia are present at the meeting to answer any questions.

After questioning by Mr. Williamson, Mr. Moorman confirmed that the Class 2 trash collection franchises are on a different contract expiration cycle than the Class 1 franchises. After further questioning by Mr. Williamson, Mr. Greg Hannah, Solid Waste Manager, stated that other companies with Class 2 franchises in the County include Advanced Transportation and Logistics, C&S Disposal, Community Sanitation Services, County Waste, First Piedmont Corporation, Kessler's Garbage Service, Republic Waste Services, and Waste Management of Virginia.

After questioning by Mr. Williamson, Mr. Beasley stated that they want to offer the best services to their Class 2 Botetourt County customers.

After questioning by Mr. Williamson, Mr. Benson stated that he has had a Class 2 trash collection franchise in the County for seven years.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following resolution assigning the Class 2 franchise that was previously awarded to Advanced Transportation to County Waste of Southwest Virginia.

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Resolution Number 17-07-09

WHEREAS, Section 20-21 of the Botetourt County Code requires the Board of Supervisors to approve any reassignment of a garbage disposal and refuse collection franchise; and,

WHEREAS, Advanced Transportation, which currently has a Class 2 franchise with the County for these services, has sold their business to County Waste of Southwest Virginia; and,

WHEREAS, it has been determined that County Waste of Southwest Virginia is able to provide the same or an improved level of service to their customers;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors approves the reassignment of the Class 2 garbage disposal and refuse collection franchise previously held by Advanced Transportation to County Waste of Southwest Virginia for a franchise period which expires on December 31, 2019;

BE IT FURTHER RESOLVED THAT, the County Administrator is authorized to sign any franchise award documents as required, upon review and approval by the County Attorney.

The Chairman then adjourned the meeting at 3:15 P. M. until 6:00 P. M.

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

A public hearing was then held on a request in the Blue Ridge Magisterial District from Botetourt County (Blue Ridge Towers Inc., lessees) for a Commission Permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Agricultural (A-1) Use District in order to construct and maintain a non-illuminated 199-foot telecommunications tower within a 3,600 square-foot lease area. The site is proposed to be accessed from Park Drive (Route 880) and via a new 12-foot easement in Blue Ridge Park. The parcel subject to this request is located on a 22.68-acre parcel located at 409 Park Drive, Roanoke, approximately 0.56 miles north from the Park Drive intersection with Webster Road (Route 738), identified on the Real Property Identification Maps of Botetourt County as Section 108, Parcel 218B.

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

Mr. Jerod Myers, Long-Range Planner, stated that last Friday (July 21, 2017) the Planning/Zoning staff received comments from the National Park Service (NPS) regarding this proposed 199' telecommunications tower. He noted that this letter included mitigation measures and other statements that the proposed tower would have an adverse effect on the Blue Ridge Parkway.

Mr. Myers stated that the lessee (Blue Ridge Towers) received a copy of this letter and is working to mitigate the NPS's concerns by lowering the overall tower height to 110' – 130' and converting the proposed structure to a stealth monopine. He noted that Blue Ridge Towers has forwarded new photosimulations of how the proposed tower would look from different locations to the NPS for their review.

Mr. Myers stated that Blue Ridge Towers has requested that this request be tabled until they are ready to proceed with this project. He noted that this would likely result in the request being heard at the August Board of Supervisors meeting. He further stated that by the Zoning Ordinance regulations the latest that this request could be heard without written consent from the property owner is September 2017. He noted that staff supports the request to table this hearing until the application and supporting documents can be updated to reflect the discussed changes to this tower proposal.

After questioning by Mr. Dodson, Mr. Myers stated that this request would likely come back to the Board for consideration at the August meeting. He noted that the County's telecommunications tower consultant would need time to review the new proposal and photosimulations of the proposed tower's redesign.

After questioning by Mr. Williamson, Mr. Lockaby, County Attorney, stated that this public hearing would again have to be readvertised and the adjacent property owners notified of the issue by certified mail.

After discussion with Mrs. Nicole Pendleton, Planning Manager, on motion by Mr. Martin, seconded by Mr. Dodson, and carried by the following recorded vote, the Board tabled the request in the Blue Ridge Magisterial District from Botetourt County (Blue Ridge Towers Inc., lessees) for a Commission Permit in accord with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Agricultural (A-1) Use District in order to construct and maintain a non-illuminated 199-foot telecommunications tower within a 3,600 square-foot lease area. The site is proposed to be accessed from Park Drive (Route 880) and via a new 12-foot easement in Blue Ridge Park. The parcel subject to this request is located on a 22.68-acre parcel located at 409 Park Drive, Roanoke, approximately 0.56 miles

north from the Park Drive intersection with Webster Road (Route 738), identified on the Real Property Identification Maps of Botetourt County as Section 108, Parcel 218B, until the August 2017 Board of Supervisors meeting to allow additional, updated information on the tower's redesign to be obtained from the lessee. (Resolution Number 17-07-10)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

Mrs. Nicole Pendleton, Planning Manager, then introduced Ms. Kathryn Poos to the Board. She noted that Ms. Poos has been hired as a summer intern in the Planning/Zoning Office. Mrs. Pendleton noted that she is a rising senior at Virginia Tech and plans to graduate in December 2017.

Mrs. Pendleton stated that Ms. Poos has been working to digitize planning and zoning files and the staff have been very appreciative of having her assistance over the past few months.

Mr. Martin welcomed Ms. Poos to the County.

After questioning by Mr. Dodson, Ms. Poos stated that she is from Charlottesville.

A public hearing was then held on a request in the Fincastle Magisterial District from D & S Developers, LLC, for a rezoning from the Agricultural (A-1) Use District to the Rural Residential (RR) Use District, with possible proffered conditions, for a proposed residential subdivision of up to 44 lots on a 65.002-acre parcel, located on Walnut Manor Drive (Route 1218) and Fox Moor Court, Fincastle, approximately 0.16 miles east of the Blacksburg Road (State Route 630)/Walnut Manor Drive intersection, identified on the Real Property Identification Maps of Botetourt County as Section 73, Parcel 106.

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

Mrs. Nicole Pendleton, Planning Manager, stated that this request is to develop the remaining Walnut Manor Subdivision property located off of Blacksburg Road west of Fincastle. She noted that Phase 1 of Walnut Manor Subdivision was originally approved by the Planning Commission in 2000/2001; however, the preliminary plat, which included Phases 2 and 3, expired in 2006.

Mrs. Pendleton stated that the developers would now like to continue with the remainder of the development as Phase 2 of this subdivision and are requesting to rezone 65 acres from A-1 to RR to allow for smaller lot sizes than those currently allowed in the A-1 Use District. She noted that the property has access to a public water system that is now operated by the Western Virginia Water Authority which, under the Zoning Ordinance, allows smaller subdivision lot sizes.

She noted that the applicants, Sherman and Susan Foutz, have completed a lot of developmental work on this site including testing for the location of septic tanks on each proposed lot as well as some roadway grading work. Mrs. Pendleton stated that the Zoning Ordinance was amended as of January 1, 2002, resulting in the requirement of larger lot sizes than those previously shown on the preliminary plat approval. After discussion, she stated that the new lots will be comparable to those located in Phase 1 of this development.

After questioning by Mr. Williamson, Mrs. Pendleton noted that no proffered conditions have been submitted for this request. She noted that the project's development would have to comply with the current Zoning and Subdivision Ordinance standards.

After further questioning by Mr. Williamson regarding the small lot sizes, Mrs. Pendleton stated that the applicants had to obtain a variance from the Board of Zoning Appeals (BZA) to the Zoning Ordinance's provisions regarding lot sizes in the RR zoning district. She noted that this variance reduces the minimum lot size from 1.25 acres to 1 acre when the property is served by public water and private septic systems, not public sewer.

Mrs. Pendleton noted that this variance's approval by the BZA was contingent upon several conditions including: the Board of Supervisors' approval of the rezoning request; the developer obtaining an availability letter from the Western Virginia Water Authority to resolve water supply capacity issues; the developer obtaining private septic approval from the Health Department in the event that previous septic approvals have expired; and the project will be constructed in accordance with the development plan dated April 1, 2001, with the exception that the number of lots may be reduced, however, lot sizes may only be increased, not decreased.

She noted that Mr. and Mrs. Foutz were present at the meeting to answer any questions.

Mr. Sherman Foutz, applicant, stated that they began work and completed the concept plan for this development in the early 2000s. He noted that a water tank was installed in the area now designated as Phase 2 of this development and a road to access the water tank was constructed. He noted that approximately 450' of roadway in this development remains to be completed. Mr. Foutz further stated that they have shortened the proposed cul-de-sac to meet current County requirements.

After discussion by Mr. Williamson, Mr. Foutz stated that he and his sons construct these homes for the property owners.

Mr. Foutz stated that all of the roadway engineering is complete. He noted that 44 lots are being proposed in Phase 2 of this development and all of the septic system percolation tests have been completed and their locations surveyed on the individual lots.

After questioning by the Chairman, 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. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request as submitted. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other. (Resolution Number 17-07-11)

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

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

D & S DEVELOPERS, LLC

In the Fincastle Magisterial District for a rezoning from the Agricultural (A-1) Use District to the Rural Residential (RR) Use District for a proposed residential subdivision of up to 44 lots on a 65.002-acre parcel, located on Walnut Manor Drive (Route 1218) and Fox Moor Court, Fincastle, approximately 0.16 miles east of the Blacksburg Road (State Route 630)/Walnut Manor Drive intersection, identified on the Real Property Identification Maps of Botetourt County as Section 73, Parcel 106.

There being no further discussion, the meeting was adjourned at 6:10 P. M.