

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, July 26, 2016, 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

ABSENT: Members: Mr. Billy W. Martin, Sr.
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 12:50 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; 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; and consultation with legal counsel regarding actual or probable litigation as per Section 2.2-3711(A) (1), (3), and (7) of the Code of Virginia of 1950, as amended. (Resolution Number 16-07-01)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

The Chairman called the meeting back to order at 2:03 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 16-07-02)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

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. Williamson then acknowledged the recent passing of Mr. Ned McElwaine, former Deputy County Administrator. He stated that Mr. McElwaine was employed by the County for 27 years (1981 – 2008) and worked under three County Administrators, including himself. Mr. Williamson stated that Mr. McElwaine was an exemplary employee and was reflective of what a career in public service should be. He noted that Mr. McElwaine showed integrity in his working life and he will be missed.

Mr. Leffel also asked that during the moment of silence that those present remember Mr. Alan Wright who was injured last month during a swift-water rescue in Alleghany County, and the Sheriff and his staff for the work that they do each day.

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

A presentation was then held of a resolution of appreciation to the Fincastle Volunteer Rescue Squad. Mr. Jason Ferguson, Deputy Chief for Administration, then stated that, at the June regular meeting, the Board of Supervisors was notified of the dissolution of the Fincastle Volunteer Rescue Squad which included the County's acceptance of ownership of some of the Squad's assets. He noted that the Squad and Fincastle Volunteer Fire Department have agreed to merge their organizations in order to continue to provide emergency medical services to the community.

Mr. Ferguson stated that a resolution of appreciation has been drafted and framed acknowledging and thanking the Rescue Squad for their years of service to the citizens of Botetourt County. He then read the resolution as follows:

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

WHEREAS, the Fincastle Volunteer Rescue Squad has been an instrumental aspect in the provision of emergency medical services to those in need twenty-four hours a day, seven days a week since 1979; and,

WHEREAS, the citizens and visitors of the Town of Fincastle and surrounding portions of Botetourt County have greatly benefited from the services of this all-volunteer team; and,

WHEREAS, both basic and advanced life support services, as well as a host of community outreach activities, have been provided to the community for over three decades; and,

WHEREAS, the members of the Fincastle Rescue Squad have played a crucial role in continuing to provide a service to their community as depicted in their mantra "*Volunteers In Action*" and,

WHEREAS, the Fincastle Rescue Squad, Incorporated, has decided to dissolve in order to join forces with the Fincastle Volunteer Fire Department for the betterment of the communities in which they serve,

NOW, THEREFORE, we, the Board of Supervisors of Botetourt County, Virginia, do hereby recognize the Fincastle Volunteer Rescue Squad, all of its current, previous, and life member volunteers for their dedication, commitment, and sacrifice throughout the years to provide a vital service to the citizens of Botetourt County; and,

FURTHER, be it recognized that the efforts of both the Fincastle Volunteer Rescue Squad and the Fincastle Volunteer Fire Department to develop a plan to continue to further enhance the capabilities of the volunteer personnel in the Fincastle area are appreciated and should be commended.

Mr. Ferguson then presented this framed resolution to Ms. Tonda Yates and Ms. Susan Keith who were present at the meeting on behalf of the Fincastle Rescue Squad. They thanked the Board for this resolution of appreciation.

Mr. Ferguson then stated that earlier today he, along with other members of the County's Fire and EMS career and volunteer personnel, attended Arkay Packaging Corporation's annual employee picnic. Mr. Ferguson stated that the fire and rescue staff were thanked for their response to the fire at Arkay earlier this year and Mitchell Kaneff, Arkay's CEO, presented them with a check in the amount of \$25,000.

Mr. Leffel expressed the Board's appreciation for the fire and rescue response to the incident at Arkay and stated that the Board would forward their thanks to Mr. Kaneff for this generous donation.

Mr. Jim Farmer, Director of Parks and Recreation, then introduced Mr. Bill Powell and Mr. Will Goad, who were hired as full-time Recreation Maintenance Workers in May 2016. He noted that both of them have prior work experience in maintenance and he looks forward to working with them in the future.

The Board welcomed Mr. Powell and Mr. Goad to employment with Botetourt County.

Mr. Kevin Shearer, General Services Director, then introduced Mr. Luke Campbell to the Board. He noted that Mr. Campbell has worked part-time for the County for several years and is now working full-time in his department as a General Services Technician.

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

Mr. Larrowe then introduced Mr. Ken McFadyen as the County's new Economic Development Director. He noted that Mr. McFadyen began work for the County on July 18 and has 17 years of experience in economic development and public administration including seven years as Executive Director of the Blue Ridge Crossroads EDA which serves Grayson and Carroll Counties and the City of Galax. He noted that, prior to that, Mr. McFadyen served as Town Manager in West Jefferson, North Carolina, and also was employed for three years as Assistant to the County Manager in McDowell County, North Carolina.

He noted that Mr. McFadyen received a Master's in Public Administration from Appalachian State University, and an undergraduate degree in history. He noted that Mr. McFadyen has two children in elementary school and, will fit in very well in Botetourt County, as his hobbies are hiking and history. Mr. Larrowe stated that Mr. McFadyen will work on the Exit 150 redevelopment project and noted that the County's tourism program is now under the auspices of the Economic Development Department.

The Board welcomed Mr. McFadyen to Botetourt County.

Mr. Leffel then noted that the County had received a plaque from the Roanoke Valley Greenway Commission acknowledging Botetourt County's membership in the Commission.

After discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the minutes of the regular meeting held on June 28, 2016, were approved as submitted. (Resolution Number 16-07-03)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

On motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations. (Resolution Number 16-07-04)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Transfer \$569,895.76 from General Fund – Undesignated Fund Balance to Economic Development Authority of Botetourt County account. These funds will cover Eldor Corporation-based and related economic development expenditures for July 2016.

Transfer \$72,000 from Contingency, 100-4093000, to CIP - Eagle Rock Greenway Project, 100-4094720. A funds transfer to this account would qualify for a like amount in grant funds for the purchase of a park and boat access site in Eagle Rock.

Transfer \$1,092.33 to Sheriff's Department – Vehicle & Power Equipment Supplies, 100-4031200-6009, from the various departments as follows for vehicle repairs at the County garage:

\$ 70.67 Dep. County Adm.–Repair & Maint.–Vehicles, 100-4012121-3312
 \$173.24 Comm. Dev. - Repairs & Maint. – Vehicles, 100-4034000-3312
 \$343.20 Animal Control – Veh. & Power Equip. Suppl., 100-4035100-6009
 \$210.68 Fire & EMS – Repairs & Maint. – Vehicles, 100-4035500-3312
 \$ 53.68 General Services – Repair & Maint. –Vehicles, 100-4040000-3312
 \$ 23.26 Maintenance – Repairs & Maint. – Vehicles, 100-4043000-3312
 \$ 49.55 Parks & Rec. – Veh. & Power Equip Suppl., 100-4071000-6009
 \$ 4.25 Sports Complex – Repairs & Maint.–Vehicles, 100-4071300-3312
 \$143.15 Van Program – Repairs & Maint. – Vehicles, 100-4071500-3312
 \$ 20.65 Tourism – Veh. & Power Equip. Supplies, 100-4081600-6009

Additional appropriation in the amount of \$6,588.48 to Sheriff's Department – Special Law Enforcement, 100-4031200-5880. This is the portion of FY16 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 \$365.40 to the following Sheriff's Department accounts: \$345.40 to Firing Range Expenses, 100-4031200-6015; and \$20 to Other Operating Supplies, 100-4031200-6014. These are funds received from the sale of brass casings and permits.

Additional appropriation in the amount of \$889.86 to the following Sheriff's Department accounts: \$826.61 to Wages – Overtime, 100-4031200-1200; and \$63.25 to FICA, 100-4031200-2100. These are funds received for reimbursement of security costs provided for the Daleville Institute.

Additional appropriation in the amount of \$659.11 to Correction & Detention – Medical & Lab Supplies, 100-4033100-6004. These are funds received from Craig County for inmate medical costs.

Additional appropriation in the amount of \$9,884.00 to Fire & EMS – Capital Outlay, 100-4035500-8012. These are Fire Program Funds received from the State.

Additional appropriation in the amount of \$37,095.76 to Volunteer Fire & Rescue – County Volunteer Rescue Squads, 100-4032200-5651. These are Four-for-Life funds received from the State.

Additional appropriation in the amount of \$11,480.99 to Volunteer Fire & Rescue – Fire Insurance, 100-4032200-5302. These are insurance funds received for a claim for damaged apparatus.

Additional appropriation in the amount of \$950.64 to Tourism – Marketing, 100-4081600-5840. These are partnership funds received from Historic Sandusky Foundation, Inc.

Additional appropriation in the amount of \$70,152.75 to Dale Court Water Line Extension, 100-4094423. This is an appropriation for work performed by A. R. Coffey & Sons, Inc., that will be covered by grant funding.

Additional appropriation in an amount up to \$14,775.39 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 \$13.82 to the Property Seizure Proceeds Fund – Federal Treasury. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation an amount up to \$69,588.42 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 \$9,627.13 to the Asset Forfeiture Fund – Commonwealth’s Attorney – Federal. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount up to \$20,633.25 to the Asset Forfeiture Fund – Commonwealth’s Attorney – State. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

Additional appropriation in an amount not to exceed \$9,000 to Correction & Detention – Inmate Phone Commissions, 100-4033100-5820. This is an advance pass-through for funds received for debit card phone commissions received by the County.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the Accounts Payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 16-07-05)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution authorizing the advertisement of a request for proposals to procure Fire/EMS third-party billing services through competitive negotiations instead of competitive sealed bidding.

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Resolution Number 16-07-06

WHEREAS, the County currently attempts to recoup cost for services provided for sick and injured patients treated and transported by EMS personnel, and

WHEREAS, the County take the lead role in ensuring timely, legal, and accurate cost recovery practices are in place, and,

WHEREAS, the current vendor has been in place since 2010 and is no longer eligible for renewal without going through an authorized procurement process, and

WHEREAS, the County wishes to procure a third-party billing firm; however, multiple factors need to be considered in an award, not just cost, including qualifications and experience of the contractor, proposal preparation and understanding of scope of work, reference checks and evidence of collection rates, availability of the contractor to provide timely client assistance and customer service based on prompt and timely updates, complaint and concern resolution and delivery of monies collected, and history of compliance with applicable state, federal and local regulations concerning billing practices and related issues; the history, strength, and stability of the vendor; the vendor’s understanding of and proven experience with federal, state and local laws, regulations, and standards relative to emergency services; experience with other localities, etc.,

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 a third-party EMS billing firm, and,

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes advertisement of a Request for Proposals of said procurement through the competitive negotiations process.

Consideration was then held on a request to withdraw the Special Exceptions Permit request from Julie H. Simmons/Verizon Wireless to construct a cell tower on Penn Hollow Road in Buchanan.

Mr. Williamson noted that this request was tabled for six months to allow Verizon to conduct a review of how or whether the location of a private airport in the area of the Simmons property would impact this tower's proposed location.

After questioning by Mr. Williamson as to the reason for this withdrawal, Mrs. Nicole Pendleton, Planning Manager, stated that earlier this year Verizon restructured their districts which resulted in this project not being on any active build lists at this time. She noted that these priorities did not include a cell tower at this location at this time so the applicants have asked for Board approval to withdraw this SEP request.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board accepted the withdrawal of the Special Exceptions Permit request from Julie H. Simmons/Verizon Wireless to construct a cell tower on Penn Hollow Road in Buchanan. (Resolution Number 16-07-07)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Consideration was then held on a request to advertise for a public hearing on an ordinance amending the Western Virginia Regional Industrial Facility Authority's Articles of Incorporation.

Mr. Leffel stated that he understands that this request is a procedural matter to "clean up" some language in the Facility Authority's Articles of Incorporation.

Mr. Williamson stated that he understands that these amendments are to now provide that consent on any proposed economic development project would be from only those parties specifically involved rather than the current requirement of unanimous approval by all Authority members.

Mr. Larrowe stated that this is correct and there are also several minor revisions to the Articles of Incorporation that are proposed to be considered in this public hearing.

On motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board directed staff to advertise for a public hearing at the August 23 regular meeting on proposed amendments to the Articles of Incorporation of the Western Virginia Regional Industrial Facility Authority. (Resolution Number 16-07-08)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Consideration was then held on approval of the FY 2017 rollover resolution. Mr. Tony Zerrilla, Director of Finance, stated that this resolution is to allow continuing programs and capital equipment-related projects begun in FY 16 to continue into FY 17. He noted that this resolution includes requests approval of rollovers totaling \$658,818.

Mr. Zerrilla stated that, due to a Code of Virginia requirement that limits monthly rollover appropriations to no more than 1% of the total County budget, consideration of several similar

resolutions will be required by the Board over the next few months as there are \$1.789 million in additional rollover requests being proposed.

After discussion, Mr. Zerrilla stated that there was \$3.5 million remaining in County, School, and Social Services departmental balances as of June 30, 2016. He noted that this included \$2.3 million in General Fund operational amended budget savings before the rollover requests were received. He noted that approximately 2/3 of these savings were in public safety departments and 12% were in general government operations.

Mr. Zerrilla stated that as of June 30, \$852,000 remained in CIP projects' budget balances and the Department of Social Services had \$311,000 in year-end budget savings. He noted that 20% of the amended budget's savings are itemized as rollover requests for July and almost all of the County's functions are represented in these rollover requests.

After discussion, Mr. Zerrilla stated that the staff recommends that the Board approve this resolution as presented.

After questioning by Mr. Leffel, Mr. Williamson stated that he has reviewed this resolution in detail with Mr. Zerrilla and has no further questions regarding this request.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the following supplemental appropriations for those projects begun in FY 16 that will be carried over into FY 17. (Resolution Number 16-07-09)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Destination Acct #	Account Description	Amount	Explanation/Reason For
100-4011010-3100	Board of Supervisors	\$13,000	Additional professional service requirements
100-4012110-5840	County Administrator	\$2,000	Additional Marketing needs
100-4012121-3100	Dep. Co. Admin - Professional Svces.	\$35,000	County/Econ. Dev. website enhancements
100-4012121-3180	Dep. Co. Admin - Instr. & Training	\$9,000	Continuation of employee/supervisor training
100-4012510-3320	Tech. Svces. - Maint. Svce. Contracts	\$11,642	Renew and add ESRI GIS licenses
100-4012510-5540	Tech. Svces. - Convention & Education	\$1,456	For attending Microsoft Sharepoint class
100-4012510-8009	Tech. Svces. - Cap Outlay-Sys Software	\$1,156	Additional funding for Helpdesk solution
100-4012560-8001	Cent. Garage-Cap. Outlay-Mach./Equip.	\$3,000	Purchase additional fans for the garage bay
100-4013300-6014	Registrar - Other Operating Supplies	\$10,000	Cover additional costs for Presidential election
100-4021100-8012	Circuit Court – Cap. Outlay-Other Cap.	\$8,000	Cabling-telephone, install/repair security cameras
100-4012120-3311	Gen. District Ct. - Repairs & Maint. - Equip	\$2,100	Installation of security lock
100-4012120-8012	Gen. District Ct. - Cap Outlay - Other Cap.	\$3,500	Conversion to County phone system
100-4022100-8012	Comm. Att. - Cap Outlay - Other Cap	\$27,500	Enhancements-Spickard building rental space
100-4031200-1100	Sheriff's Dept.-Salaries & Wages – Reg.	\$4,000	Cover additional hiring costs - trained officer

100-4031200-5830	Sheriff's Dept. - RAID Patrol	\$46,602	Sheriff's Office Funds - Non-County Funds.
100-4031200-5860	Sheriff's Dept. - Anti-Drug Education	\$50	Sheriff's Office Funds - Donations.
100-4031200-6010	Sheriff's Dept. - Police Supplies	\$10,000	Late invoice received - Taser International
100-4031200-6015	Sheriff's Dept. - Firing Range Expenses	\$6,164	Range Funds - For Sheriff's Dept. use
100-4031200-8005	Sheriff's Dept.-Cap Out-/Motor Veh/Equip	\$28,361	Sheriff's Office Funds - Non-County Funds.
100-4031700-1100	Dispatch - Salaries & Wages - Regular	\$10,000	Hiring trained Dispatcher to address turnover
100-4032200-5651	Vol. Fire & Rescue-Co. Vol. Rescue Sq.	\$10,855	Four For Life funds to be spent in early FY17
100-4032200-8005	Vol. Fire & Rescue-Cap. Out.-Mtr. Veh/Equip.	\$30,868	Match grant for cot retention system
100-4033100-1200	Correction & Det. - Sal. & Wages - O/T	\$11,434	Complete compensation time initiative
100-4033100-3100	Correction & Det. - Professional Services	\$8,099	Provide coverage for increased medical issues
100-4033100-5820	Correction & Det. - Inmate Phone Comm.	\$27,772	Phone Commissions - For Sheriffs' Dept. use
100-4033100-6002	Correction & Det. - Food Supplies	\$3,404	Increased food costs
100-4033100-6004	Correction & Det. - Medical & Lab Suppl.	\$4,748	Increased medical issues
100-4034000-3100	Comm. Devel. - Professional Svces.	\$40,682	Comp. plan updates, studies, amendments
100-4035100-3100	Animal Control - Professional Services	\$16,500	Excess RCACP healthcare costs - County portion
100-4035100-5530	Animal Control - Medical & Lab Supplies	\$708	Unanticipated veterinary services
100-4035500-8001	Fire & EMS-Capital Outlay-Mach & Equip	\$13,500	Apply funding for crew quarters construction
100-4035500-8001	Fire & EMS-Capital Outlay-Mach & Equip	\$14,000	Placing AED's in select County locations
100-4035500-8005	Fire & EMS-Capital Out.-Mtr. Veh Equip	\$33,382	Reletter/repurpose vehicles from Finc. Rescue
100-4035600-3320	Emer. Commun. - Maint. Svce. Contracts	\$25,000	Install high-speed internet connectivity
100-4043000-6005	Maintenance - Laundry, Housek. Supp.	\$2,121	Cover trailing invoice from FY16
100-4043000-8001	Maintenance-Cap Outlay - Mach & Equip	\$17,000	Cover final bill for elevator repairs
100-4043000-8012	Maintenance - Cap Outlay - Other Capital	\$30,000	Cover roof repairs-Health Dept. & old P.O. Bldg.
100-4043000-8012	Maintenance - Cap Outlay - Other Capital	\$20,000	Provide funds for resealing jail parking lot
100-4043000-8012	Maintenance - Cap Outlay - Other Capital	\$11,600	Asphalt sealing of parking lots
100-4071300-3800	Sports Complex-Pur. of Svce. Other Gov't	\$2,714	Donated funds - Wounded Warrior event
100-4071300-5305	Sports Complex - Auto Insurance	\$1,400	Auto insurance policy premium
100-4071300-8001	Sports Complex-Cap Outlay-Mach/Equip	\$6,000	Build shed to safeguard equipment
100-4081500-3320	Economic Devel. -Maint. Svce. Contracts	\$3,500	Copier lease costs - also serves Tourism
100-4081500-5420	Economic Devel. - Lease/Rent Bldgs.	\$12,500	Lease costs for Clark Bldg. space
100-4081500-5420	Economic Devel. - Cap Outlay - F & F	\$3,500	Furniture/furnishings for Clark Bldg. office
100-4081600-3100	Tourism - Professional Services	\$5,000	Grant partnership funds - Wine/Brewery Trail
100-4081600-5840	Tourism - Marketing	\$30,000	Grant reimbursement funds - For research
100-4091503-2300	Empl. Wellness Prog. - Hosp.& Medical	\$10,000	Potential increased incentive participation

100-4093000	Contingency	<u>\$30,000</u>	Unforeseen needs
TOTAL	General Fund Operations	\$658,818	

Consideration was then held on a request from Thomas and Anna Lawson for approval of a conservation easement in a Residential R-1 Use District on property located on Catawba Road.

Mrs. Nicole Pendleton, County Planning Manager, stated that the County's Comprehensive Plan indicates that a portion (approximately 13 acres) of the Lawsons' 45 acres of property located off of Route 779 (Catawba Road) in Daleville is designated for medium density residential uses and is currently zoned as a Residential R-1 use. She noted that the remainder of the Lawsons' property is zoned for Agricultural A-1 use. It was noted that these parcels are identified on the Real Property Identification Maps as Section 87, Parcels 71, 72, 75, 76, and 83.

Mrs. Pendleton stated that the Lawsons have been working with the Virginia Outdoors Foundation (VOF) to have these 45 acres placed into a conservation easement. She noted that, prior to the VOF accepting property into their easement program, they require a letter from the locality that the conservation easement designation is in compliance with the current Comprehensive Plan.

Mrs. Pendleton stated that portions of the property are currently served by public sewer and public water service is located in the immediate area. She further stated that Tinker Creek runs through this property and several acres are included in FEMA's designated Flood Zone A. She noted that new construction is heavily restricted in flood zones; however, new development could occur on Parcels 87-72, 76, and 83 but would be restricted to certain locations.

Mrs. Pendleton noted that County staff met with the Lawsons and VOF representatives in November 2015 to discuss alternatives to achieve the owners' goals for this property including only designating a portion of their property into this conservation easement.

Mrs. Pendleton then reviewed various maps and photographs of the Lawsons property. She noted that Parcel 87-83 consists of 3 acres; Parcel 87-75 contains 2 acres, Parcel 87-71 consists of 22 acres, Parcel 87-72 contains 9 acres, and Parcel 87-76 consists of 13.6 acres. She further noted that the 22 acre parcel is split by the Norfolk Southern Railroad and Tinker Creek.

After questioning by Mr. Williamson, Mrs. Pendleton stated that a portion of the 22 acre parcel abuts the National Forest Service/Appalachian Trail property on Tinker Mountain.

After further questioning by Mr. Williamson, Mrs. Anna Lawson, property owner, stated that she and her husband have owned this property for approximately 45 years.

Mrs. Pendleton stated that any future residential or commercial development of this property would require an expensive hydrogeological study of the Tinker Creek flood plain. She further stated that staff believes that a medium density residential designation is an appropriate designation for this area.

After questioning by Mr. Williamson, Mrs. Lawson stated that there is a natural gas easement on this property which contains a 12" high pressure line.

Mr. Williamson then stated that he sits on a board of directors with Mr. Lawson and questioned if this would be a conflict of interest which would necessitate him abstaining from voting on this matter and whether he would have to abstain from voting because of his former

working relationship with Roanoke Gas Company which owns the natural gas line through this property.

Mr. Lockaby stated that he did not see any conflict of interest for Mr. Williamson in regard to his serving on the same board of directors as Mr. Lawson and if Mr. Williamson discloses that he believes that he can judge this request objectively and dispassionately he would not need to abstain from voting on this request.

Mr. Williamson stated that he believes that he can be objective and dispassionate about this request and noted that he does not think that this request is material to Roanoke Gas Company "one way or another."

Mr. Dodson then stated that he has several questions on this property and has discussed his concerns with Mr. Lockaby. Mr. Dodson also stated that he had planned to visit and walk through this property during the past week but was not able to do so. He further stated that, as there are two Supervisors members absent today, he would like to table this request until the August regular meeting. Mr. Dodson stated that he wants to ensure that the Board is making a good decision regarding this request.

After questioning by Mr. Williamson, Mrs. Pendleton stated that she will check the County's files to determine if any residentially-zoned properties have been placed in conservation easements in the past.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board tabled the request from Thomas and Anna Lawson for approval of a conservation easement in a Residential R-1 Use District on property located on Catawba Road until the August 23 regular meeting to allow all Board members to be in attendance and to allow time for Mr. Dodson to visit the property. (Resolution Number 16-07-10)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Mr. Williamson then stated that, at the June regular meeting, the Board approved the FY 17 budget resolution which included funding for a 2% employee salary increase effective September 1. Mr. Williamson stated that, due to a less than anticipated receipt of revenues, the State of Virginia has deferred State and constitutional employee raises for this fiscal year.

Mr. Williamson stated that he would like to clarify this issue to ensure County and constitutional employees that the Board of Supervisors will fund this 2% salary increase.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board of Supervisors supports and intends to implement a 2% salary adjustment for all eligible County and constitutional office employees, including Social Services Department employees, effective September 1, 2016. (Resolution Number 16-07-11)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation, was then present to speak to the Board.

Mr. Hamm then reviewed VDoT's monthly report. He noted that Allegheny Construction was the low bidder on the project to replace two narrow bridges on Route 220 north of Eagle Rock. He noted that this project has a fixed completion date of June 2018.

Mr. Hamm stated that the Exit 150 project is progressing and bridge rehabilitation projects on I-81 across the James River in Buchanan and across Tinker Creek near the weigh station have begun. He noted that the James River bridge work should be completed in the fall of 2017 and the I-81/Tinker Creek bridge should be completed in November 2016.

After questioning by Mr. Williamson, Mr. Hamm stated that these projects include bridge decking rehabilitation and work along the road's shoulder area.

Mr. Hamm stated that paving on Route 11 from the Troutville corporate limits to Darby Road has been completed. He further noted that the box culvert replacement on Roaring Run Road (Route 621) is progressing and the roadway has been reopened to traffic after flooding damaged the site in June. He noted that the project should be completed in late August.

After questioning by Mr. Leffel, Mr. Hamm noted that the two bridge replacements on Route 220 are located between the Route 43 intersection and the community of Gala.

Mr. Hamm noted that there were two land development projects and 8 land use permits reviewed and issued in the past month. He further noted that mowing work on the secondary roadways has been completed and the second round of mowing on the primary roads will begin next week.

Mr. Hamm then stated that VDoT had received a request for an advanced warning light system on Route 220 northbound near the Daleville Town Center intersection. He noted that their traffic engineering studies indicated that there have been only 2 rear end crashes at this intersection since 2012 and VDoT staff is not recommending that this request be approved. Mr. Hamm stated that VDoT had also received a request for crosswalk signage on Route 11 in front of Troutville Town Hall. He noted that this request is still under review.

Mr. Leffel stated that VDoT is doing a good job with their mowing operations this year but, with all of the rain, some areas have grown up again.

Mr. Williamson stated that a nice job was done on the paving work on Route 11 and he looks forward to the work proceeding northbound on Route 11. Mr. Hamm stated that VDoT is still developing their primary road paving schedule for 2017.

After discussion, Mr. Hamm stated that it is anticipated that a full pavement overlay will be done on a large portion of Route 11 in 2017 which will include removal of the top 4" of pavement with other sections proposed to only be patched. He further noted that some of the underlying concrete sections have shifted which has caused bumps in the pavement and VDoT hopes to repair those areas this summer.

After questioning by Mr. Williamson regarding the turning lane extension/widening at the Route 220/Valley Road (Route 779) intersection, Mr. Hamm stated that the same contractor that performed the decel lane extension at Mountain Pass Road will handle this project.

After questioning by Mr. Dodson, Mr. Hamm stated that a full repaving of Glebe Road is scheduled for 2017; however, some patching work is scheduled for this year to keep the road in good condition over the winter months.

Mr. Dodson further noted that there are several potholes on Sprinkle Road that need to be filled. Mr. Hamm stated that he will add this project to their repair list. He further stated that a pipe replacement project also scheduled for this road over the next 4 – 6 weeks. He noted that VDoT is waiting for the environmental approvals before proceeding on this project.

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

Consideration of was then held on the acceptance of two streets in Brugh's Mill Estates Subdivision into the State Secondary System of Highways. Mrs. Nicole Pendleton, Planning Manager, stated that Grist Mill Drive and Brugh's Lane in Brugh's Mill Estates Subdivision have been reviewed and their construction approved by VDoT for acceptance into the Secondary System. She requested that the Board adopt the resolution requesting VDoT's acceptance of these roadways.

On motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the following resolution requesting the acceptance of Grist Mill Drive and Brugh's Lane in Brugh's Mill Estates Subdivision into the State Secondary System of Highways.

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Resolution Number 16-07-12

WHEREAS, the streets, Gristmill Drive and Brugh's Lane, in the Brugh's Mill Estates Subdivision, described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on a plat recorded in the Clerk's Office of the Circuit Court of Botetourt County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on January 11, 1994, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Botetourt County that this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions AM-4.3 to the secondary system of state highways, pursuant to Section 33.2-705, Code of Virginia, and the Department's Street Subdivision Requirements; and

BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Consideration was then held on a resolution regarding proposed amendments to the performance agreement with the Greater Roanoke Valley Development Foundation for the Greenfield shell building. Mr. Lockaby stated that the Foundation and the Roanoke Valley Development Corporation have formed a partnership to create a new single purpose entity (Greenfield Development, LLC) to develop/construct the Greenfield shell building and they have requested the Board of Supervisors' consent to the assignment of this project to this joint venture entity.

Mr. Lockaby stated that he and Mr. Webster Day, Economic Development Authority Attorney, have reviewed this resolution and the performance agreement's amendment.

After questioning by Mr. Leffel, Mr. Larowe stated that he recommends approval of this resolution.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution approving the assignment of the various roles and responsibilities to Greenfield Development, LLC, from the Greater Roanoke Valley Development Foundation and the Roanoke Valley Development Corporation for the purpose of developing/constructing the new shell building in Botetourt Center at Greenfield.

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Resolution Number 16-07-13

WHEREAS, Botetourt County, Virginia (the "County"), the Greater Roanoke Valley Development Foundation (the "Foundation"), and the Industrial (now Economic) Development Authority of Botetourt County, Virginia (the "Authority"), entered an economic development performance agreement dated November 30, 2015 (the "Agreement"), that contemplated conveyance of certain land to the Foundation, the Foundation's development of a shell building on the property, and mutual efforts to market such shell building; and,

WHEREAS, the Foundation has formed a partnership with the Roanoke Valley Development Corporation (the "Corporation"), and formed a limited liability company known as Greenfield Development, LLC (the "LLC"), to own and develop the shell building on the property; and,

WHEREAS, the Foundation has requested the permission of the County and the Authority to assign its rights and obligations under the Agreement to the LLC, under the terms and conditions set forth in the Amendment attached hereto and made a part hereof as if set forth at length,

NOW THEREFORE, the Board of Supervisors of Botetourt County approves the assignment of the Agreement under substantially the terms and conditions set forth in the Amendment, and authorizes the County Administrator to execute same, subject to final approval as to form by the County Attorney.

Mr. Larrowe then noted that the Board will consider appointment of members to the Greenfield Historic Preservation Committee at the August regular meeting. He noted that applications to serve on this committee will be received by the County until August 18.

Consideration was then held on various appointments.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board appointed the following representatives/alternates to serve on the Community Policy and Management team for two year terms to expire on September 1, 2018: (Resolution Number 16-07-14)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Jeff Stritesky/Ronnie Sprinkle (Sheriff's Department)

Penny Hall/Leigh Martin (Social Services)

Julie Baker/John Busher (Schools)

Stephanie Harper/Suzanne Renegar (Health Department)

Cheryl Wilkinson/Cathy Brown & Heather Gunn (Community Serv. Board-BRBH)

Samantha Higgins/Sandra Crawford (Court Services-Juvenile Probation Office)

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board appointed the following three citizen representatives--Mary Ann Layman-Miller, 2009 Roanoke Road, Daleville, VA 24083 (1 year term to expire on June 30,

2017); Tim Miller, 90 Villa Court, Troutville, VA 24175 (2 year term to expire on June 30, 2018); and Dr. Warren G. Clark, 165 Post Oak Drive, Roanoke, VA 24019 (3 year term to expire on June 30, 2019), to serve on the Roanoke Valley Greenway Commission for the terms indicated. (Resolution Number 16-07-15)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Mr. Larowe noted that the two County staff members who will serve on this Commission will be Mr. Jim Farmer, Director of Parks and Recreation, and Mr. Robert Beatty, GIS Technician.

After discussion, on motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board accepted Mr. John Williamson's resignation and appointed Mr. Todd Dodson as a County representative on the Roanoke Valley/Alleghany Regional Commission's Board of Directors to fill a term which expires on June 30, 2018. (Resolution Number 16-07-16)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:05 P. M.

A public hearing was then held on a request to abandon the public right-of-way for EastPark Court in EastPark Commerce Center. Mr. David Moorman, Deputy County Administrator, stated that when EastPark Commerce Center was developed in the 1990s a short cul-de-sac (EastPark Court) was constructed to serve multiple parcels in that area of the industrial park. He noted that over the past 20+ years development in this section has changed and this roadway primarily provides access to Dynax America Corporation at this time. Mr. Moorman stated that this right-of-way also provides access to the Mid-Atlantic Broadband Corporation's equipment facility and Tread Corporation (Lester Development Corporation) has frontage along the roadway but does not use it for ingress/egress.

Mr. Moorman stated that this roadway does not meet VDoT's connectivity standards and is not likely to be eligible for acceptance into the Secondary System. He noted that the County currently owns EastPark Court as a fee simple right-of-way and is responsible for the road's maintenance.

After discussion, Mr. Moorman stated that the County also owns approximately 3 acres of unneeded property abutting EastPark Court. He noted that Dynax has been notified of the proposed roadway abandonment and to ascertain their willingness to purchase these 3 acres to facilitate their facility's future expansion opportunities. He further noted that staff also consulted Tread representatives to review this proposed abandonment and they had no objections to this proposal; however, both companies' final approval was pending corporate review.

Mr. Moorman requested that the Board conduct the public hearing and, if there are no objections, close the public hearing and adopt the resolution to vacate EastPark Court, and

authorize the conveyance of this right-of-way and approximately 3 acres to Dynax America, contingent upon future approval of a purchase agreement by the Board of Supervisors.

After questioning by Mr. Williamson, Mr. Moorman stated that the County will retain an easement to access the nearby stormwater detention pond. He further noted that easements will also be retained along this roadway by Tread, Mid-Atlantic Broadband, the Western Virginia Water Authority, and other utility providers.

After questioning by Mr. Dodson, Mr. Moorman stated that the assessed value of the approximately 3 acres of land is \$81,400. After further questioning, Mr. Moorman stated that staff has recommended implementing the land sale as an amendment to the County's current performance agreement with Dynax. He noted that Dynax has indicated preliminary acceptance of this property but negotiations are continuing.

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. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution to vacate the EastPark Court right-of-way in EastPark Commerce Center.

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

Resolution Number 16-07-17

WHEREAS, following advertisement and public hearing duly held in accordance with law, the Board of Supervisors has considered a motion to vacate EastPark Court, an unnumbered private road within EastPark Commerce Center and more particularly described on a plat of record among the land records of Botetourt County, Virginia, at Plat Book 18, page 174, and labeled thereon "Industrial Access Road"; and,

WHEREAS, it appearing, following comment and consideration, that no person has requested appointment of road viewers, and that none are necessary; and,

WHEREAS, it appearing that EastPark Court is not eligible for acceptance into the State System of Secondary Highways, and that its vacation and discontinuance will cause no harm to the public or to any person; and,

WHEREAS, it appearing that Dynax America Corporation, an abutting landowner, is willing to accept ownership of the road right-of-way and provide for its reasonable maintenance and upkeep as a private right-of-way; and,

WHEREAS, it appearing that Lester Development Corporation does not object to the vacation and discontinuance, provided it continues to have such easement if necessary for future development,

NOW THEREFORE, the Board of Supervisors of Botetourt County, pursuant to sections 15.2-1800 and 15.2-2006 of the Code of Virginia, 1950, as amended, hereby resolves and ordains as follows:

1. That EastPark Court is vacated; and
2. That the County Administrator shall execute, and the County Attorney shall draft, such legal instruments as are necessary to convey the right-of-way underlying EastPark Court to Dynax America Corporation, reserving easements for ingress and egress to the Dynax parcel and the Lester parcel and providing for maintenance thereof, as well as such easements for public utilities as may be advisable; and
3. That the County Administrator shall execute, and the County Attorney shall draft, such legal instruments as are necessary to convey Botetourt County Tax Map Parcel Nos. 108(13)10A and 108(13)9A, as shown on the plat of subdivision attached hereto, to Dynax America Corporation; and

4. That the Clerk shall cause this Ordinance and Resolution, together with the plat attached as aforesaid, to be recorded among the land records of Botetourt County, Virginia.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved and authorized the conveyance of EastPark Court and approximately three (3) additional acres located in EastPark Commerce Center to Dynax America Corporation as proposed, conditioned upon the future approval of a purchase agreement by the Board of Supervisors. (Resolution Number 16-07-18)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the meeting was continued at 3:12 P. M. until 6:00 P. M on Tuesday, August 9, 2016, in the Circuit Courthouse's second floor conference room in Fincastle, for a work session with VDoT to discuss gravel roads. (Resolution Number 16-07-19)

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

NAYS: None

ABSENT: Dr. Scothorn, Mr. Martin

ABSTAINING: None