

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, August 22, 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.  
Mr. John B. Williamson, III  
Dr. Donald M. Scothorn

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:45 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board went into Closed Session to discuss personnel matters regarding specific individuals; the acquisition of real property for public uses or the disposition of publicly held real property where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the County; and consultation with legal counsel regarding specific legal matters 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 17-08-01)

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

NAYS: None

ABSENT: ABSTAINING: None

The Chairman called the meeting back to order at 2:05 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 17-08-02)

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

NAYS: None

ABSENT: None ABSTAINING: None

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

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

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

Mr. Dodson, Mr. Larrowe, and Mr. Moorman then recognized those individuals who have been employed by the County for 5, 10, 15, 20, 25, and 40 years. Mr. Moorman then asked that each employee come forward as their name is called for presentation of a certificate of recognition: Five years—William Arney, County Treasurer; Mary Goorskey McPeak, EMT/FF-ALS;

Rodney Spickard, Commissioner of Revenue; Ten Years—Dana B. Craighead, Deputy Circuit Court Clerk; James C. Farmer, Jr., Director, Recreation & Facilities; Fifteen years—Jason D. Ferguson, Battalion Chief for Administration and Support Services; Anthony G. Zerrilla, Director of Finance; Twenty years—Susan M. Bostic, Deputy Circuit Court Clerk; Twenty-five years—David B. Firestone, Jr., Battalion Chief/24 Hour Operations; Tommy L. Moore, Circuit Court Clerk; Forty years—Linda Dewitt, Deputy Circuit Court Clerk.

It was noted that those employees who were unable to attend today's meeting would be presented with their certificates at a later date (Audrey Clark, Library Assistant; Jeremy S. Goyer, EMT/FF-BLS; Lethia C. Hammond, Assistant Commonwealth's Attorney; Adam P. Smith, EMT/FF-BLS; Renee Wilson, Administrative Assistant Circuit Court Judge's Office; John R. H. Alexander, II, Deputy Commonwealth's Attorney).

Mr. Leffel thanked all of these employees for their years of service and dedication to the County.

Fire and EMS Chief Matt Britt then introduced several new full and part-time employees in his office. He noted that Mr. Aaron Hagerman, Firefighter/EMT-BLS, lives in Cloverdale, was previously a volunteer from Read Mountain Fire Station and is currently enrolled in the paramedic program. Chief Britt stated that Mr. Thomas Mouglin has been hired as a part-time EMT-BLS and was previously a First Lieutenant at Roanoke City's Department of Fire and EMS. He noted that Mr. Mouglin has worked for Roanoke City since 1995. Chief Britt stated that Mr. William Wrenn has been hired as a part-time EMT-BLS and also works at Carilion Clinic.

The Board then welcomed them to employment with Botetourt County.

Mr. Jim Farmer, Director of Recreation and Facilities, then introduced three new full-time Parks Department employees--Mr. Toby Counts, Mr. Jason Overbay, and Mr. A. J. Kyle, to the Board.

Mr. Leffel welcomed them to employment with Botetourt County. He also thanked Mr. Farmer for his recent maintenance work in at the Eagle Rock Park. He noted that the site looks great.

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

There being no discussion, on motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 17-08-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

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

Approval of the following additional appropriations:

Additional appropriation in the amount of \$3,320.50 to Sheriff's Department – RAID Patrol, 100-4031200-31200-5830. This is a quarterly reimbursement of RAID Program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$1,739.35 to Correction & Detention, various accounts, 100-4033100-33100. These are reimbursed funds pertaining to medical and contract costs.

Additional appropriation in the amount of \$4,374.39 to the following Sheriff's Department accounts: \$3,822.06 to Subsistence & Lodging, 100-4031200-31200-5530; \$447.26 to Vehicle & Power Equipment – Fuels, 100-4031200-31200-6008; and \$105.07 to Vehicle Supplies, 100-4031200-31200-6009. These are reimbursed extradition costs.

Additional appropriation in the amount of \$309.29 to the following Sheriff's Department accounts: \$159.29 to Firing Range Expenses, 100-4031200-31200-6015; \$110.00 to Uniforms, 100-4031200-31200-6011; and \$40.00 to Other Operating Supplies, 100-4031200-31200-6014. These are funds received relating to the sale of brass casings, contract payments, and solicitor permits.

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 & Power Equipment – Fuels, 100-4031200-31200-6008. These are reimbursed funds received for Forest Patrol overtime expenses.

Additional appropriation in the amount of \$2,414.99 to the following Sheriff's Department accounts: \$2,243.37 to Wages – Overtime, 100-4031200-31200-1200; and \$171.62 to FICA, 100-4031200-31200-2100. These are funds received from the Town of Buchanan for police services provided for the Buchanan Carnival;

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

Consideration of Noise Ordinance variance request from Jeter Farm for a tractor pull on September 30, 2017; and,

Approval of an Economic Development Performance Agreement with Arkay Packaging Corporation/Emkay Holdings, LLC.

Consideration was then held on approval of the Schools year-end transfer request to the Capital Reserve Fund. Mr. Tony Zerrilla, Director of Finance, stated that since this program began in 2008, the County has retained approximately \$1.1 million in year-end monies from the schools and the School Capital Reserve Fund has received approximately \$3.5 million in unspent funds.

Mr. Zerrilla stated that in May 2017 the Board approved an amendment to this Policy regarding the distribution of year-end budget surplus funds. He noted that, for FY 2017, the Board approved a 100% distribution of these funds to the Schools with any future-year budget surpluses to be considered during the annual budget adoption process.

Mr. Zerrilla stated that, in an August 11 letter from Superintendent John Busher to the County Administrator, the schools are requesting that \$125,902.18 be transferred to their Capital Reserve Fund. He noted that this calculation reflects \$375,000 in budget expenditure savings, a \$246,000 revenue shortfall, and a net negative of \$3,000 in miscellaneous funds' adjustments. He noted that this calculation data was included in the Board's agenda item.

Mr. Zerrilla noted that Mr. Busher, Superintendent of Schools, and Mr. Jimmy Lyon, the School's Director of Administration and Finance, were present to answer any questions.

Mr. Busher stated that the FY 17 budget was tight; however, the schools did receive some additional State funding at the end of the budget year. Mr. Busher stated that he and his staff meet monthly to review the financial status of the current year's budget. He noted that as of June 30, 2017, there was \$125,902.18 in budget monies remained and requested that 100%

of these funds be transferred to the Schools Capital Reserve Fund. He noted that these monies will be used for school capital improvement projects.

After questioning by Mr. Williamson, Mr. Busher stated that, based on the parameters of the School Capital Reserve Fund Policy, the schools are limited to using these funds for capital outlay projects only.

After questioning by Mr. Williamson regarding student enrollment for the 2017-18 school year compared to the figure used during the FY 18 budget development process, Mr. Busher stated that the student population on September 30 is used to calculate their Average Daily Membership figure which is used to allocate State funds to school divisions. Mr. Busher noted that County enrollment for the new school year thus far is higher than estimated, while other school divisions have experienced decreases in student population.

Mr. Busher stated that he would be willing to discuss the impact of the student population on the school's budget after September 30. After discussion, Mr. Busher stated that the County's budget revenue allocation for the schools is a "hard number," while the schools are not notified of their State revenue figure until March of each year.

Mr. Busher stated that the school administration is interested in determining where these additional students are from—whether they are from out-of-state or from within Virginia—and why are they here. He noted that out-of-state students are not familiar with our educational system and they may need to be brought up to the "Botetourt way" of learning.

Mr. Busher stated that the school administration will monitor their student enrollment monthly which will help them in managing their budget.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved a transfer of \$125,902.18 from the County's Undesignated General Fund Balance to the School Division Capital Reserve Fund. (Resolution Number 17-08-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of the Personal Property Tax Relief Act (PPTRA) rate for the 2017 tax year. Mr. Tony Zerrilla, Director of Finance, stated that the PPTRA was adopted by the State of Virginia in 2005. He noted that this Act designates a block grant of \$3.4 million to the County each year for tax relief of vehicles valued from \$1,001 to \$20,000. Mr. Zerrilla stated that this amount will be unchanged in the future unless action is taken by the Virginia General Assembly.

He stated that this fixed amount has served to reduce the State's subsidy from a targeted 70% to a smaller percentage each year. Mr. Zerrilla stated that he; Bill Arney, County Treasurer; and Rodney Spickard, Commissioner of Revenue, met and reviewed the projected vehicle values and the amount of State tax relief to be provided in determining the percentage of relief for the 2017 tax year. He noted that they are recommending a 52% reimbursement rate for 2017 with a taxpayer portion of 48% compared to 58% and 42%, respectively, for 2016. He noted that this is a 6% increase over last year.

Mr. Zerrilla stated that approximately 1,500 in additional qualifying vehicles were placed on the County's personal property tax records compared to the previous year and the citizens are purchasing more expensive vehicles which impacted this tax relief rate.

After questioning by Mr. Dodson regarding the County's vehicle database, Mr. Spickard stated that his staff reviews the Department of Motor Vehicles monthly vehicle registration report to track new vehicles registered as housed in the County or make amendments to current data. He further noted that vehicles valued at less than \$1,000 do not have to be reported to the DMV which has previously caused some tax record issues with County citizens.

After questioning by Mr. Williamson, Mr. Arney stated that the County's personal property tax collection rate exceeds 98%.

There being no further discussion, Mr. Zerrilla requested that the Board adopt the PPTRA percentage rate resolution as included in their agenda packets.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution establishing the percentage reduction for personal property tax relief at 52% for the County for the 2017 tax year.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 17-08-05

**WHEREAS**, in accordance with the requirements set forth in Section 58.1-3524 (C) (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or "PPTRA") of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle with a taxable situs within the County commencing January 1, 2006, shall receive personal property tax relief; and,

**WHEREAS**, this Resolution is adopted pursuant to amendments to Chapter 23 Taxation of the Botetourt County Code adopted December 20, 2005,

**NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF BOTETOURT COUNTY, VIRGINIA, as follows:**

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less.
2. That qualifying personal use vehicles valued at \$1,001 - \$20,000 will be eligible for 52% tax relief for the 2017 tax year.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 52% tax relief for the 2017 tax year on the first \$20,000 of value; and
4. That all other vehicles which do not meet the definition of "qualifying" (for example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.), will not be eligible for any form of tax relief under this program.
5. That the percentage applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to Botetourt County by the Commonwealth of Virginia.
6. That this Resolution shall be effective from and after the date of its adoption.

Consideration was then held on a resolution to update Fire and EMS billing rates. Mr. Jason Ferguson, Battalion Chief for Administration and Support Services, stated that this item is in follow-up to previous conversations held with the Board on the EMS Cost Recovery Program. He noted that under Chapter 2 Administration of the County Code the County assesses certain fees to offset costs incurred by the delivery of fire and emergency medical response services. He noted that these fees are set by resolution of the Board of Supervisors.

Mr. Ferguson stated that staff has consulted with the County's third-party billing company to evaluate the current billing rates/structure and are recommending that four changes be approved: (1) establish a flat billing rate (168%) for all services rendered based on the Medicare allowable rate. This will allow the billing rates to fluctuate with the Medicare allowable rate as opposed to having the Board of Supervisors make periodic changes to the billing rates; (2) authorize the County to bill for single-patient use supplies that are not recoverable through service billing rates; (3) establish a process to bill for emergency medical treatments that do not involve transports; (4) authorize the County's third-party billing company to seek payment of outstanding balances billed to nonresidents through a collection service.

After questioning by Mr. Martin, Mr. Ferguson stated that single-patient use supplies would be, as an example, defibrillator pads used on cardiac arrest patients. He noted that these pads are approximately \$50/pair.

After further questioning by Mr. Martin, Mr. Ferguson stated that these fees would apply to County and non-County residents who receive emergency services from the Department of Fire and EMS; however, County residents would be billed only through their insurance companies for these services; whereas, non-residents would be billed and responsible to pay any balance remaining after their insurance pays.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution updating the billing rates and structure for the delivery of fire and emergency medical response services in the County.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 17-08-06

**WHEREAS**, Botetourt County, in accordance with Chapter 2 Administration, Article X of the Botetourt County Code, assesses certain fees to offset costs incurred via the delivery of fire and emergency medical response services; and,

**WHEREAS**, the Department of Fire and EMS is responsible for the evaluation of current cost recovery practices and the development of strategies for continued pragmatic cost recovery efforts; and,

**WHEREAS**, the Department of Fire and EMS has reviewed current practices and recommended strategies upon consultation with the County's third-party billing company and other public safety agencies; and,

**WHEREAS**, the personnel, apparatus, equipment, supplies, and costs necessitated by such responses require significant public expenditures; and,

**WHEREAS**, cost-recovery is integral to not only the funding of emergency public services but to having the users of services, particularly non-residents, financially support the services; and,

**WHEREAS**, certain enhancements to the County's cost-recovery program are available, without impacting residents of Botetourt County;

**WHEREAS**, the ordinance authorizing the recovery of service charges for emergency fire and rescue services requires that rates for services rendered be established by resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the Botetourt County Board of Supervisors hereby authorizes the following changes to current cost recovery practices:

## 1. **EMS Response**

- a. Except as otherwise provided in the ordinance (Chapter 2, Article X of the Botetourt County Code), a service charge of 168% of the Medicare allowable shall be charged for Basic Life Support (BLS), Advanced Life Support Level 1 (ALS 1), Advanced Life Support Level 2 (ALS 2), and per mile for ground transport mileage. This service charge is imposed on each person being transported by any emergency medical services vehicle owned or maintained by the County, or owned or maintained by any county-based volunteer rescue squad. The term "emergency medical services vehicle" has the definition specified in Virginia Code Section 32.1-111.1
- b. The cost of certain single-patient use supplies (e.g. defibrillation pads, intraosseous needles, capnography devices) that are not recoverable through service billing rates shall be billed. These items will be billed at the County's then-current actual cost. No item that is available through a no-cost exchange agreement with local hospitals will be billed.
- c. When emergency medical services of any kind are provided and the recipient declines transport to an appropriate medical facility, the patient and/or his or her insurance shall be billed for services in an amount equal to the then-current Basic Life Support rate, plus the County's then-current actual cost for single-use/patient supplies and equipment.
- d. All non-residents treated and/or transported by emergency medical services shall be billed directly along with the non-resident's health insurance carrier. Should there be a remaining balance after three attempts to collect by the County's third-party biller, the outstanding balance will be turned over to a third-party service for collection.

### Definitions:

- a. *Basic Life Support (BLS)*: Services shall be medical treatment or procedures to a patient as defined by the National Emergency Medical Services (EMS) Education and Practice Blueprint for the Emergency Medical Technician-Basic (EMT).
- b. *Advanced Life Support, Level 1 (ALS 1)*: Services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.
- c. *Advanced Life Support, Level 2 (ALS 2)*: Services shall be defined as advanced life support (ALS) services provided to a patient including one or more of the following medical procedures: (a) defibrillation/cardioversion, (b) endotracheal intubation, (c) cardiac pacing, (d) chest decompression, (e) intraosseous line, and/or (f) the administration of three or more medications.
- d. *Ground Transport Mileage (GTM)*: Mileage shall be assessed based on actual driven miles from the location of the incident to a hospital or other facility where a patient is transported.

## 2. **Fire Response**

Motor Vehicle Accident – The responsible party involved in a vehicle accident resulting in fire service response shall be assessed charges based upon the level of response or service required:

*Level 1* - simple accident with no injury and no serious leaks of hazardous materials but where scene safety is addressed - \$475.00.

*Level 2* - accident with injury - \$875.00.

*Level 3* - accident with injury plus ONE of the following: entrapment, vehicle fire, assistance with helicopter landing, or major hazardous materials spill - \$1,250.00.

*Level 4* - accident with injury plus TWO or more of the following: entrapment, vehicle fire, assistance with helicopter landing, or major hazardous materials spill - \$1,625.00.

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 stated that the Lithia Road project is going smoothly and he met with the project manager last Thursday. He noted that they are waiting on receipt of the environmental clearance before work can begin.

After questioning by Mr. Williamson, Mr. Hamm stated that this project should be completed before the end of this year.

Mr. Hamm noted that there are currently night-time lane closures on the I-81 bridge project across the James River at Buchanan with traffic being directed through the Town of Buchanan. He further noted that a portion of Route 666 (White Church Road) will be closed from September 12 – 14 for a bridge replacement project.

After discussion, Mr. Hamm noted that various paving projects are continuing in the County. He noted that they have received some citizen complaints about cracking and roughness of the new pavement and these issues are being addressed by the contractor. He noted that paving of Route 11 from the Exit 162 area toward Buchanan should begin soon.

After questioning by Mr. Williamson regarding pavement milling work on Route 11 south toward Troutville, Mr. Hamm stated that VDoT is doing this work so that pavement patching work can be done. After further questioning by Mr. Williamson, Mr. Hamm stated that VDoT has not finalized the funding for next year's paving projects so it may be 2018 or 2019 before the "middle" section of Route 11 is paved.

Mr. Hamm noted that VDoT has been able to complete many paving projects this year.

Mr. Martin stated that he has heard some nice comments about the paving work on Mountain Pass Road.

Mr. Hamm then noted that three land use projects were reviewed and 15 land use permits were issued by VDoT last month.

Regarding traffic study requests, Mr. Hamm stated that VDoT reviewed Azalea Road in 2013 and determined that no traffic calming measures were needed on this residential street but the request, including new information received from the adjacent property owners, was again submitted to their Traffic Engineering staff in late July. He noted that this review is a defined process that includes input from the residents, the County, and VDoT.

After questioning by Mr. Dodson, Mr. Hamm noted that he will forward Mr. Dodson the correspondence on the 2013 review of Azalea Road.

Mr. Hamm further noted that their area headquarters staff have been busy this summer. He noted that the potholes on Blue Ridge Turnpike have been filled and they hope to have the roadway fully surface-treated in 2018/2019, the low shoulders along Route 220 between Daleville Town Center and I-81 are being repaired, and work began today on repairing the sunken area on Brugh's Mill Road.

Regarding the British Woods Drive Rural Addition, Mr. Hamm stated that VDoT is now able to charge expenses to this new funding category and are in the process of ordering materials for this road improvement project. He noted that they hope to complete this work before winter.

Mr. Hamm further stated that the cul-de-sac construction on Bridge Street North in Buchanan has been completed and a sinkhole in this same area has been filled/repaired. He



noted that they will “cap off” the surface treatment next summer to ensure that the pavement surface lasts as long as possible.

Regarding the McFall’s Road Rural Rustic (RRR) project, Mr. Hamm stated that when the Buhrman Road RRR project is finally closed out by VDoT they will allocate any remaining funds from that project to McFall’s Road.

After questioning by Mr. Martin, Mr. Hamm stated that there is no guarantee that the McFall’s Road project will be completed this fall but they hope that the work schedule can be revised to do so even though VDoT has this listed as work beginning in the spring/summer of 2018.

After discussion by Mr. Williamson on the Long Run Road through-truck issue, Mr. Hamm stated that he is not sure if tractor trailers are using this road frequently but VDoT will install a traffic counter to determine what type of traffic is using the road.

Mr. Williamson then stated that he had received a petition containing approximately 100 signatures requesting that the sight distance at the Springwood Road/Copps Hill Road intersection be improved. Mr. Williamson noted that this intersection is used by visitors to Springwood Baptist Church and the high dirt banks in this area, especially on the left-hand side, make it difficult for drivers to see oncoming traffic.

Mr. Hamm noted that in 2012/2013 VDoT representatives, along with then-Board of Supervisors member Terry Austin, met at this intersection to review this visibility issue. He noted that the property owner at this intersection was not willing to donate the additional right-of-way needed to make these sight distance improvements, so the project did not proceed. Mr. Hamm stated that he understands that there has been a property ownership change and VDoT will contact the new owner to see if they are interested in donating the needed right-of-way.

Mr. Hamm further stated that there is an historical wall and a water well in this immediate area that may cause issues with any proposed intersection improvements. He noted that VDoT previously considered moving Springwood Road further away from the Copps Hill intersection but that idea was determined to not be viable when the landowner would not provide the needed right-of-way.

Mr. Dodson noted that he has received a lot of good comments about VDoT’s recent road repairs in his district. He then questioned the status of the traffic study on U. S. Route 220 from Greenfield to Route 460.

Mr. Blevins stated that VDoT’s engineering staff have approved the extension of their original Route 220 study to include the area from Daleville to Fincastle; however, once this study begins it will take approximately 1½ years to complete. Mr. Blevins noted that VDoT’s District Engineer, Ken King, and VDoT’s Preliminary Engineering Manager, Tommy DiGiulian, are aware of the Board’s interest in having this study completed as soon as possible.

Mr. Dodson stated that the County needs to start being proactive in the development of this corridor as this area and its traffic volume will continue to grow in the future. Mr. Dodson further noted that he is aware that this study will be a long process.

Mr. Blevins stated that VDoT is moving forward with scheduling staff meetings on this study.

Dr. Scothorn then thanked VDoT for paving various roadways in his district. He noted that he has received calls from residents regarding culverts that are full of sediment located off of Sanderson Road that are causing stormwater runoff issues.

Mr. Hamm stated that the culverts in this channel are located off of VDoT's right-of-way and, unless the runoff affects the roadway, VDoT cannot get involved in this issue. Mr. Hamm stated that this situation has been on-going for some time and they have discussed this matter with the County's Development Services/Erosion and Sediment Control staff.

Mr. Hamm stated that the County and VDoT have notified the neighborhood that the pipes are their responsibility and they must obtain a DEQ permit to perform work in the channel.

After discussion by Dr. Scothorn, Mr. Hamm stated that the Virginia Department of Environmental Quality (DEQ) is very specific about what VDoT can and cannot do regarding storm-water runoff channels. After further discussion by Dr. Scothorn, Mr. Hamm stated that cleaning out the culvert pipe alone will not solve this runoff problem. He noted that the channels will need to be cleaned out as the sediment buildup has made the channel rise.

After questioning by Mr. Dodson, Mr. Hamm stated that this is considered a jurisdictional water channel and its regulation is overseen by DEQ.

Mr. Leffel then thanked Mr. Hamm for completion of the Buhrman Road project. He then questioned the problems that have occurred with a drainage pipe/culvert box under Route 43 at the Eagle Rock Volunteer Fire Department.

Mr. Hamm stated that he needs to conduct additional research into VDoT's files and road plans from the 1930s/1940s to determine how this drainage pipe was supposed to be designed and if there is a drainage easement on record. He noted that, if it was just a pipe under Route 43, then VDoT cannot do anything to solve the drainage flow issue; however, if the plans include a culvert box then improvements can probably be made.

Mr. Leffel then noted that Delegate Terry Austin was present at today's Board meeting.

He explained to Delegate Austin that this issue involved a pipe under Route 43 at the Eagle Rock Fire Department which directs stormwater runoff into an old cement box. He noted that the grates on the top of this box are made out of old road grader blades. Mr. Leffel further explained that another pipe connects into this cement box and comes out half-way down the alley above Railroad Avenue. Mr. Leffel noted that drainage problems with the old pipe/culvert have caused the pavement along Route 43 to be undermined and washed away. He stated that there is another culvert box at Railroad Avenue where the drainage pipe then goes under the street and the CSX tracks.

Mr. Leffel asked Delegate Austin to review this situation the next time that he is in the Eagle Rock area.

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

Consideration was then held on a request to advertise for a Planning Commission public hearing on proposed amendments to Chapter 25. Zoning of the Botetourt County Code to address an increase in density for multi-family dwellings and potentially increase the associated height of multi-family structures. Mrs. Nicole Pendleton, Planning Manager, stated that the Planning Office has received a request from Mr. Jake Turner, on behalf of Martlet, LLC, that the Board consider amending the Zoning Ordinance to increase the density for multi-family dwellings and increase the maximum height of residential structures within the Residential R-3 Use District.

She noted that the staff believes it would be more appropriate to create a new, higher-density Residential R-4 Use District in the Zoning Ordinance. Mrs. Pendleton noted that staff

has considered an additional multi-family district for quite some time for higher-density residential development projects and previously discussed this issue with the Board of Supervisors.

After discussion, Mrs. Pendleton stated that the Martlet, LLC, rezoning request is proposing to develop up to 266 residential units on Tax Map Section 101, Parcels 50 and 44M, which consists of approximately 17 acres located at the end of Commons Parkway. She noted that this rezoning request is anticipated to be scheduled for public hearings before the Planning Commission and Board of Supervisors in October.

Mrs. Pendleton stated that staff is requesting authorization at this time for a public hearing on the text amendments associated with this request so they can proceed with development of these regulations along with the Martlet rezoning request. She noted that the amendments will also update the Definitions section of the Zoning Ordinance, which is currently outdated and confusing, to guide the determination of net acreage, which is used to calculate maximum density for these types of developments.

Mrs. Pendleton noted that Mr. Turner with Martlet, LLC, is present at the Board meeting to answer any questions about this text amendment request.

Mrs. Pendleton also mentioned that the "Recommendation" section of this request's agenda item mentioned that a work session between the Supervisors and Planning Commission would be held in October. She noted that this is incorrect as a public hearing would be held on this request.

After questioning by Mr. Williamson, Mrs. Pendleton stated that the Martlet rezoning application will be amended from R-3 to R-4. Mr. Turner stated that he is prepared to amend his rezoning request to a R-4 Use District.

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board directed staff to advertise for a Planning Commission public hearing on proposed amendments to Chapter 25. Zoning of the Botetourt County Code regarding the creation of a proposed Residential R-4 Use District to address an increase in density for multi-family dwellings and potentially increase the associated height of multi-family structures, and other associated amendments. (Resolution Number 17-08-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a resolution authorizing the issuance of up to \$8,000,000 in industrial development revenue bonds for the proposed YMCA project.

Mr. Williamson stated that he has a conflict of interest in this matter as he serves on the YMCA's fundraising committee and is a compensated member of the Board of Directors of the Bank of Botetourt, the lender for this proposed financing; therefore, he will not participate in the Board's discussion on this bond issuance request.

Mr. Larowe stated that the Young Men's Christian Association of Virginia's Blue Ridge, Inc. (YMCA), is requesting the issuance of \$8,000,000 in tax exempt revenue bonds to finance the acquisition, construction, and equipping of an approximate 44,000 square foot recreational and athletic facility in Daleville Town Center. He noted that this issuance will also refund approximately \$2 million in existing, outstanding bonds for the YMCA.

Mr. Larrowe stated that Mr. Webster Day, Economic Development Authority attorney; Mr. Scott Williams, the YMCA's Chief Operating Officer; and Mr. John Alderson, representing the YMCA; were present at the meeting to answer any questions.

He further stated that the EDA approved this bond issuance resolution after conducting a duly advertised public hearing at their August 4 meeting. He noted that the EDA is authorized to issue up to \$10 million in tax exempt bonds each year. Mr. Larrowe stated that these bonds are not a financial or moral obligation for the County or the EDA as this process is used as a conduit to allow these bonds to be issued as tax exempt.

Mr. Larrowe stated that a resolution had been included in the Board's information packets to approve this bond issuance. He noted that, once approval is received from the Board of Supervisors, this matter will again be considered by the EDA for authorization of signatory authority.

After questioning by Mr. Martin, Mr. Larrowe stated that there is no obligation on the County by the approval of this bond issuance. He noted that this process is a "vehicle" for the bonds to be issued as tax exempt.

Mr. John Alderson stated that approximately two years ago representatives of the YMCA appeared before the Board of Supervisors and requested consideration of financial support for this project and the Supervisors unanimously agreed to do so. Mr. Alderson stated that they have currently exceeded the \$9 million in fundraising threshold before construction could begin.

After discussion, he noted that the EDA considered this request several weeks ago and approved a bond issuance resolution for this project. He noted that this facility will benefit the County's citizens and the schools and requested that the Board consider approval of this resolution.

Dr. Scothorn applauded the fundraising committee for their hard work in obtaining the \$9 million in pledges for this project. He noted that this is a fantastic project which will benefit the entire community and the schools.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the following resolution approving the application by Young Men's Christian Association of Virginia's Blue Ridge, Inc. (YMCA) for the issuance of up to \$8,000,000 in revenue bonds to finance the acquisition, construction, and equipping of an approximate 44,000 sf recreational and athletic facility in Daleville, Virginia.

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

NAYS: None

ABSENT: None

ABSTAINING: Mr. Williamson

#### Resolution Number 17-08-08

**WHEREAS**, the Economic Development Authority of Botetourt County, Virginia (the "Authority") has considered the application of YOUNG MEN'S CHRISTIAN ASSOCIATION OF VIRGINIA'S BLUE RIDGE, INC. (the "Borrower") requesting the issuance of one or more of the Authority's revenue bonds or notes in an amount not to exceed \$8,000,000 (the "Bonds") in one or more series, from time to time, to assist the Borrower in (a) financing the acquisition, construction and equipping of a recreational and athletic facility, approximately 44,000 square feet in size (the "Project") at a location adjoining and immediately west of 65 Shenandoah Avenue in the Daleville Town Center in Botetourt County, Virginia (the "County"), (b) refunding the outstanding principal balance of the \$9,800,000 Industrial Development Revenue Bond (YMCA, 2002) issued by the Industrial Development Authority of Craig County (the "Prior Bond"), which financed the construction, renovation and equipping of two YMCA facilities located at the intersection of Fifth Street, S.W., and Luck Avenue in the City of Roanoke, Virginia and at 1126 Kime Lane in the City of Salem, Virginia (the "Prior Projects"), the current outstanding principal

balance of which is approximately \$2,100,000, (c) paying interest on the Bonds, and (d) paying the costs of issuing the Bonds, and the Authority has held a public hearing thereon;

**WHEREAS**, (a) the Project will be located entirely in the County and will be owned and operated by the Borrower, and (b) the Prior Projects are located entirely in the Cities of Roanoke, Virginia and Salem, Virginia and are owned and operated by the Borrower;

**WHEREAS**, it has been requested that the Board of Supervisors (the "Board") of the County approve the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code");

**WHEREAS**, there is a significant possibility that the Bonds will be sold to Bank of Botetourt (the "Bank");

**WHEREAS**, John B. Williamson, III ("Williamson") is a member of the Board of Supervisors of the County (the "Board") and is a director of the Bank;

**WHEREAS**, G. Lyn Hayth, III ("Hayth") is a director of the Authority and is a director and/or employee of the Bank;

**WHEREAS**, Joyce R. Kessinger ("Kessinger") is a director of the Authority and is a director of the Bank;

WHEREAS, Williamson, Hayth and Kessinger have disclosed to the Board the existence of their aforesaid relationships with the Bank by the submission of a disclosure in the form attached hereto as Exhibit 1 (a "Disclosure"); and

**WHEREAS**, Williamson, Hayth and Kessinger have disqualified themselves from participating in the sale of the Bonds to the Bank on behalf of the Board or the Authority;

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BOTETOURT COUNTY, VIRGINIA:**

- i) The Board approves the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project.
- ii) The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds or the creditworthiness of the Borrower or otherwise indicate that the Project possesses any economic viability. The Bonds shall provide that neither the Commonwealth of Virginia (the "Commonwealth") nor any political subdivision thereof, including the County and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth or any political subdivision thereof, including the County and the Authority, shall be pledged thereto.
- iii) The Bonds are hereby designated as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, but only to the extent the Bonds are issued during 2017. The County has not designated, and will not designate, more than \$10,000,000 of obligations to be issued during 2017 as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code.
- iv) This Resolution and the Disclosures executed by Williamson, Hayth and Kessinger shall be reflected in the public records of the Board for not less than five years in the office of the County Administrator of the County.
- v) This Resolution shall take effect immediately upon its adoption.

Mr. Williamson then noted that the Trash Collection Franchise Proposal Review Committee met earlier this month to interview trash collection proposers and have one additional interview scheduled for later this week. He noted that recommendations from the Committee on

award of these trash franchise collection contracts will be brought before the Board for consideration in September.

Mr. Williamson then noted that he had given the Board members copies of a news release from the National Forest Service requesting public comment on proposed 2018 fee increases for their camping facilities, including North Creek Campground in Arcadia. He noted that the current \$10 single site/\$20 double site campground site fee is proposed to increase to \$15 and \$30, respectively. Mr. Williamson stated that these fee increases will be used for site maintenance and improvement projects.

There being no further discussion, the Chairman then recessed the meeting at 3:09 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 130-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 approval of the Commission Permit and conditional approval of the SEP request at their July 10, 2017, meeting and the Board of Supervisors had tabled this request at their July 25 meeting to allow additional information to be obtained.

Mr. Jerod Myers, Long-Range Planner, stated that this request was tabled at the July Board meeting to allow Blue Ridge Towers an opportunity to respond to the National Park Service/Blue Ridge Parkway regarding their concerns about this proposed 199' cell tower. Mr. Myers stated that as a result of those discussions, Blue Ridge Towers is now proposing a 130' tower which would be disguised as a "monopine" structure which would have simulated pine tree limbs to disguise the antennas.

Mr. Myers stated that the location, setbacks, etc., submitted with the July application have not changed.

After discussion, Mr. Myers stated that this proposed tower will be located on a knoll at Blue Ridge Park above the tennis courts which is approximately 310' from the closest adjacent residential property. He noted that the area's properties are currently zoned agricultural and industrial. Mr. Myers further noted that the 3,600 square foot lease area would be accessed via a 12' right-of-way off of Park Drive.

Mr. Myers stated that the proposed 130' tower would allow for 4 antenna co-locations. He then reviewed the new photo simulations of the proposed view of this 130' monopine tower from various locations including the Blue Ridge Parkway and U. S. Route 460.

After questioning by Mr. Williamson, Mr. Myers stated that the tower is approximately ½ mile from the Route 460/Blue Ridge Parkway interchange.

Mr. Myers stated that CityScape Consultants, the County's independent cell tower consultants, reviewed this revised proposal and recommended approval of the request with an additional condition--"Applicant shall install landscaping to the west side of the fenced compound, outside the fenced area, such that there is landscaping on three sides of the compound."

Mr. Myers stated that several citizens contacted the Planning Department before the Planning Commission's July meeting with questions and some were in favor of the request and some opposed. He further noted that Mr. Martin received a letter from a constituent opposing the tower at the 190' height.

After questioning by Mr. Williamson regarding condition #2 ("The Special Exception Permit shall be valid for a period of no longer than 12 months, unless, during such 12 month period: (1) a site plan is approved; (2) a public permit is obtained and the erection or alteration of a structure is started and diligently pursued; or (3) an occupancy permit is obtained and a use commenced. Such period of validity may be extended for good cause shown, by application to the Board of Supervisors."), Mrs. Nicole Pendleton, County Planner, stated that, if Blue Ridge Towers took no action within 12 months from the Board's approval to proceed with this tower's construction, the SEP would expire and Botetourt County/Blue Ridge Towers would have to resubmit another SEP application for public hearings and consideration by the Planning Commission and Board of Supervisors.

Dr. Scothorn noted that condition #6 states that if the antennas are lowered to a height that is below a removable section of the monopole then the unused section would be removed. He questioned that, if a second tower site is found nearby, who would be responsible for removing the unneeded section of this monopine tower.

Mr. Anthony Smith, President of Blue Ridge Towers, stated that the Blue Ridge Park location is a very important cell site to provide cell service capabilities in this area so there will be no other tower located in this vicinity. Mr. Smith stated that this 130' tower is the minimum tower height to support 3 cell carriers. He noted that the National Park Service will not support another tower in this area that is taller than 130'.

After discussion, Mr. Smith stated that his company has reviewed potential sites in this area for over a year and there is no other location that is suitable for placement of a cell tower. He noted that American Electric Power has a moratorium on cell antenna placements on their 765 kV lines/towers. Mr. Smith stated that Blue Ridge Towers constructed a tower on an opposite ridge in Bedford County to handle cell service; however, that tower is not tall enough to reach all of the cellular service areas in this vicinity. He noted that this is why the Blue Ridge Park tower is needed.

After questioning by Mr. Williamson regarding whether the SEP being valid for only 12 months after Board approval would be a constraint on the tower's construction schedule, Mr. Smith stated that, upon receipt of the SEP, they hope to have the tower "in the air" within 120 days. Mr. Smith clarified that they will be working with the federal government to obtain certain FCC and FAA permits for this tower so they may have time-delay issues that they cannot anticipate at this time.

Mr. Smith stated that he believes that the tower can be constructed within 12 months but they will inform the Planning/Zoning Department if there is going to be a problem with this schedule.

After questioning by Mr. Dodson, Mr. Smith stated that, according to the National Park Service, the proposed 195' cell tower had a "visual impact" on the Blue Ridge Parkway. Mr. Smith stated that, after the July Board of Supervisors meeting, they conducted additional balloon tests at heights ranging from 125' to 135' and, in their final comments, the NPS said that they were satisfied with the 130' monopine height.

After further questioning by Mr. Dodson, Mr. Smith stated that they have completed the Phase 1 Environmental Impact Study as required for these types of cell tower requests.

After questioning by Mr. Myers, Mr. Smith stated that the engineering firm, Froehling and Robertson, has completed all of the required FCC and FAA cell tower studies and they are waiting for the final report from SHPO. Mr. Smith further noted that the State Historic Preservation Office (SHPO) does not begin their final permit review until zoning approval is obtained from the County.

After questioning by Mr. Williamson regarding extending the SEP's validation period beyond 12 months, Mr. Lockaby, County Attorney, stated that the Board can extend this period; however, by default, the permit is valid for 5 years.

Mr. Williamson stated that he believes that this permit validation period should be extended to 18, instead of 12, months from the date of approval by the Supervisors.

Mr. Lockaby stated that there are some policy reasons as to why the staff recommended a shorter time period for this permit.

Mr. Williamson then questioned if there were compelling reasons to not give Blue Ridge Towers another 6 months of validation for the SEP. Mr. Lockaby stated, "Not legally."

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

After questioning by Mr. Leffel, Ms. Susan Rabold, with CityScape Consultants, stated that she did not have any additional comments regarding this request.

On motion by Mr. Martin, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved 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 the Agricultural (A-1) Use District in order to construct and maintain a non-illuminated 130-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. (Resolution Number 17-08-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Martin, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved a request in the Blue Ridge Magisterial District from Botetourt County (Blue Ridge Towers Inc., lessees) for a Special Exception Permit in the Agricultural (A-1) Use District in order to construct and maintain a non-illuminated 130-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, with the following revised conditions: (Resolution Number 17-08-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The proposed project must be built in substantial conformance to the concept plan, "VA-005 Blue Ridge Park," submitted on June 5, 2017. The applicator will not be held in substantial conformity with the landscaping plan shown on sheet number L-1 if existing trees on the parcel remain as a buffer of the tower compound area, effectively screening the view of the compound from adjacent property. Landscaping requirements will be reviewed upon site plan submission and will be subject to ordinance requirements and/or zoning administrator interpretation.
2. The special exception permit shall be valid for a period of no longer than 18 months, unless, during such 18 month period: (1) a site plan is approved; (2) a building permit is obtained and the erection or alteration of a structure is started and diligently pursued; or (3) an occupancy permit is obtained and a use commenced. Such period of validity may be extended for good cause shown, by application to the Board of Supervisors.
3. At the time of permitting, applicant shall provide a structural analysis, sealed by a Virginia structural engineer, that the proposed tower will support the applicant's equipment as well as three (3) additional future providers of similar equipment.
4. No advertising shall be installed on the fencing near the ground compound.
5. The proposed structure shall not be lighted (unless required by FAA).
6. Should the antenna arrays be lowered in the future to a height that is below a removable section of the monopole, the tower owner shall then remove this upper section that is no longer in use.
7. Applicant shall install landscaping to the west side of the fenced compound, outside the fenced area, such that there is landscaping on three sides of the compound.

A public hearing was then held on a request in the Buchanan Magisterial District from Lauderdale Community Center (Rosemary Cox and Fincastle Mennonite Church) for a Special Exception Permit, with possible conditions, for a private school in the Agricultural (A-1) Use District in accordance with Section 25-73. Uses Permissible by Special Exception of the Botetourt County Zoning Ordinance on property located at 247 Wheatland Road, Buchanan, approximately 0.2 miles south of the Wheatland Road (State Route 639) and Lee Highway (U. S. Route 11) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 16.

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

Mr. Jerod Myers, Long-Range Planner, stated that the Fincastle Mennonite Church has operated a school in this former-school building for three years. He noted that they have three full-time teachers and 24 students for the current 2017-18 school year.

Mr. Myers stated that the Church would like to expand their facilities by placing a double-wide trailer on this property. He noted that, when Church representatives came to the Building Official's Office to obtain a permit, it was discovered that a Special Exceptions Permit was needed for this private school use.

Mr. Myers stated that there have been no comments received from the public regarding this request.

After questioning by Mr. Williamson, Mr. Myers stated that, when the applicants came in to request a building permit to expand the school, it “triggered” the SEP process.

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.

Mr. Leffel noted that this is a great adaptation for this old school building.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a request in the Buchanan Magisterial District from Lauderdale Community Center (Rosemary Cox and Fincastle Mennonite Church) for a Special Exception Permit for a private school in the Agricultural (A-1) Use District in accordance with Section 25-73. Uses Permissible by Special Exception of the Botetourt County Zoning Ordinance on property located at 247 Wheatland Road, Buchanan, approximately 0.2 miles south of the Wheatland Road (State Route 639) and Lee Highway (U. S. Route 11) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcel 16. (Resolution Number 17-08-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on the following two requests:

Amsterdam District, Fralin & Waldron, Inc., requests a Change of Proffers to amend the designated land use plan as follows within the Daleville Town Center Traditional Neighborhood: The edge area is proposed to consist of 63.708 acres rather than 66.020 acres. The core area is proposed to consist of 32.352 acres rather than 31.491 acres. The workplace area is proposed to consist of 21.787 acres rather than 20.336 acres. The purpose of these changes is to adjust areas identified as “Edge” upon the proposed fitness center location and better conform to the existing road alignment. This 117.847-acre site is located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1; 88(9)1; 88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5; 101(21)5A; 101(21)6; 101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; 101(21)12; and,

Amsterdam Magisterial District, Fralin & Waldron, Inc., requests a Special Exception Permit, with possible conditions, in accordance with Section 25-205. Uses Permitted by Special Exception of the Botetourt County Zoning Ordinance, in the Traditional Neighborhood District (TND) to allow the maximum floorplate for a fitness center to exceed 20,000 square feet up to a maximum floor plate square footage of 32,000 square feet on 4.1 acres of the remaining 95.38 acres within the Daleville Town Center on a site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Glebe Road (Route 675) and Catawba Road (Route 779) in Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcel 33.

Mr. Williamson stated that he had a conflict of interest regarding these two requests and would abstain from participating in this discussion and vote.

Mrs. Nicole Pendleton, Planning Manager, stated that technically these are two separate requests and two separate public hearings are required regarding a proposed YMCA facility in Daleville Town Center. She noted that the first hearing is on a request from Fralin and Waldron

for a change of proffers to amend the designated land use plan for Daleville Town Center. Mrs. Pendleton stated that this proposed amendment would adjust the “edge” area in this TND from 66.02 acres to 63.708 acres; revise the “core” area from 31.491 acres to 32.352 acres; and adjust the “workplace” area from 20.336 acres to 21.787 acres.

She noted that only the first proffered condition is being proposed to be amended to read as follows, “The property will be developed in substantial conformance with the concept plan titled “Proposed Designated Use Plan” dated July 20, 2017, prepared by Engineering Concepts, Inc, which is attached hereto and expressively incorporated herein as a proffered condition of approval of the rezoning, identifying the Core, Workplace, and Edge areas as defined in the Botetourt County zoning ordinance.”

Mrs. Pendleton stated that this proposal is to conform the property’s designated use areas to the existing road alignment and none of the DTC’s existing development would be impacted from this request. She noted that only residential uses are allowed in the “edge” area. She further noted that this proposal would only change 2½% - 3% of the acreage of these defined usage areas.

Mrs. Pendleton stated that her office received calls from citizens about these requests and two individuals spoke at the Planning Commission’s public hearing. She noted that one person was generally in favor of the request and the other speaker was neither for nor against the proposal. She noted that the Commission recommended approval of this change of proffers request to amend the first proffered condition as previously stated.

Mrs. Pendleton then stated that the second public hearing was for a SEP with possible conditions to allow a maximum floor plate of 32,000 square feet for the proposed YMCA facility. She noted that the Zoning Ordinance only permits floor plate areas at a maximum of 20,000 square feet (sf) in Traditional Neighborhood Districts as floor plates larger than 20,000 sf require review and approval by the Board of Supervisors via granting of a SEP.

After discussion, Mrs. Pendleton then reviewed the DTC’s revised master plan. She noted that under the Zoning Ordinance’s requirements, parking areas should be generally to the rear or side of the proposed building. She noted that justification for the orientation of the YMCA’s building and site design was submitted by Mr. Andy Kelderhouse, President of F&W.

Mrs. Pendleton then read the following proffered conditions: “The granting of the SEP to exceed 20,000 square feet up to a maximum floor plate square footage of 32,000 square feet on 4.1 acres of the remaining 95.38 acres within Daleville Town Center shall be limited to the structure shown in red, labeled YMCA, depicted on the concept plan included with the application, prepared by Engineering Concepts, Inc. and dated July 13, 2017. The proposed use of this structure is for a fitness center only; The building shall be constructed in substantial conformance with the building elevations titled “Botetourt Family YMCA Elevations,” prepared by Balzer and Associates, Inc., dated July 10, 2017; The project shall be constructed in substantial conformance with the document titled “Botetourt Family YMCA Layout Plan,” dated July 7, 2017, and prepared by Balzer and Associates, Inc.”

Mr. Dodson stated that the first action item before the Board is having the use areas on the master plan in alignment with how DTC has been developed.

After discussion by Mr. Dodson, Mr. Kelderhouse stated that the realignment of the edge, workplace, and core areas is due to the placement of the stormwater management area and the location of the Broad Street connection to Glebe Road.

Mr. Kelderhouse noted that four years ago interested citizens came together to conduct a study on the need for a YMCA in Botetourt County. He noted that this has been a “long haul” and their campaign efforts have raised over \$9 million for this project. Mr. Kelderhouse noted that a majority of the YMCA’s patronage will come from outside of the DTC’s residents.

Mr. Kelderhouse then reviewed the DTC’s original master plan. He noted that there may be a future SEP application regarding a building’s size that exceeds the allowable footprint in this development.

After discussion, Mr. Kelderhouse noted that a sidewalk is planned along Shenandoah Avenue to access the YMCA from other areas of the development.

After questioning by Mr. Martin, Mr. Kelderhouse stated that from an operational standpoint the YMCA will be a destination point with a defined purpose—to exercise. Mr. Kelderhouse further stated that he envisions that patrons will park at the facility for the hour or so that they work out and then leave.

After discussion, he noted that the proposed site plan functions better for the facility’s location and parking areas. He further noted that the YMCA site/building will be designed to be a great asset for the area’s youth and will include an easy visitor drop-off location.

After further questioning by Mr. Martin, Mr. Kelderhouse stated that 174 parking spaces are proposed for the YMCA’s site.

After questioning by the Chairman, it was noted that there was no one else present to speak regarding the change in proffers public hearing. This public hearing was then closed.

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

Mr. Dodson stated that today’s approvals are another step closer to putting a “shovel in the ground” for this project.

There being no further discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Fralin & Waldron, Inc., for a Change of Proffers to amend the designated land use plan as follows within the Daleville Town Center Traditional Neighborhood: The edge area is proposed to consist of 63.708 acres rather than 66.020 acres. The core area is proposed to consist of 32.352 acres rather than 31.491 acres. The workplace area is proposed to consist of 21.787 acres rather than 20.336 acres. The purpose of these changes is to adjust areas identified as “Edge” upon the proposed fitness center location and better conform to the existing road alignment. This 117.847-acre site is located adjacent to southbound U. S. Route 220 (Roanoke Road), between Route 675 (Glebe Road) and Route 779 (Catawba Road) in Daleville, identified on the Real Property Identification Maps of Botetourt County as 88-33; 88(8)3A; 88(8)3B; 88(8)3C; 88(8)2; 88(8)1; 88(9)1; 88(9)SW; 88-33A; 88-33B; 101(21)1; 101(21)2; 101(21)3; 101(21)4; 101(21)5; 101(21)5A; 101(21)6; 101(21)7; 101(21)8; 101(21)9; 101(21)10; 101(21)11; 101(21)12, to amend only the first proffered condition as follows: (Resolution Number 17-08-12)

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

NAYS: None

ABSENT: None

ABSTAINING: Mr. Williamson

1. The property will be developed in substantial conformance with the concept plan titled “Proposed Designated Use Plan” dated July 20, 2017, prepared by Engineering Concepts, Inc, which is attached hereto and expressively incorporated herein as a proffered condition of approval of the rezoning, identifying the Core, Workplace, and Edge areas as defined in the Botetourt County zoning ordinance.

On motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Amsterdam Magisterial District from Fralin & Waldron, Inc., for a Special Exception Permit in accordance with Section 25-205, Uses Permitted by Special Exception of the Botetourt County Zoning Ordinance, in the Traditional Neighborhood District (TND) to allow the maximum floorplate for a fitness center to exceed 20,000 square feet up to a maximum floor plate square footage of 32,000 square feet on 4.1 acres of the remaining 95.38 acres within the Daleville Town Center on a site located adjacent to southbound U. S. Route 220 (Roanoke Road), between Glebe Road (Route 675) and Catawba Road (Route 779) in Daleville, identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcel 33, with the following conditions:

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

NAYS: None

ABSENT: None

ABSTAINING: Mr. Williamson

1. The granting of the SEP to exceed 20,000 square feet up to a maximum floor plate square footage of 32,000 square feet on 4.1 acres of the remaining 95.38 acres within Daleville Town Center shall be limited to the structure shown in red, labeled YMCA, depicted on the concept plan included with the application, prepared by Engineering Concepts, Inc. and dated July 13, 2017. The proposed use of this structure is for a fitness center only.
2. The building shall be constructed in substantial conformance with the building elevations titled "Botetourt Family YMCA Elevations," prepared by Balzer and Associates, Inc., dated July 10, 2017.
3. The project shall be constructed in substantial conformance with the document titled "Botetourt Family YMCA Layout Plan," dated July 7, 2017, and prepared by Balzer and Associates, Inc.

There being no further discussion, the meeting was adjourned at 6:39 P. M.