

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, August 27, 2019, in Room 212 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:30 P. M.

PRESENT: Members: Mr. Billy W. Martin, Sr., Chairman  
 Dr. Donald M. Scothorn, Vice-Chairman  
 Mr. Steve Clinton  
 Mr. I. Ray Sloan (arrived at 12:37 P. M.)  
 Dr. Richard G. Bailey

ABSENT: Members: None

Others present at the meeting:

Mr. Mark Popovich, County Attorney  
 Mr. David Moorman, Deputy County Administrator  
 Mr. Gary Larrowe, County Administrator (left at 5:30 P. M.)

The Chairman called the meeting to order at 12:35 P. M.

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board went into Closed Session pursuant to the Code of Virginia, 1950, as amended, to discuss the following: Section 2.2-3711.A. 3, Acquisition or disposition of real property for economic development purposes where discussion in open session would adversely affect the County's bargaining position or negotiating strategy namely concerning the Amsterdam (Greenfield) and Blue Ridge districts; Section 2.2-3711.A. 5, Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community namely in the Amsterdam (Greenfield), Blue Ridge, and Fincastle districts; Section 2.2-3711.A. 7, Consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation related to a term service contract with the Recreation and Facilities Department and related to construction of a public roadway in the Amsterdam District; Section 2.2-3711.A. 8, Consultation with legal counsel regarding and related to an economic development project in the Fincastle District and specific legal matters pertaining to the collection of Transient Occupancy and Meals taxes. (Resolution Number 19-08-01)

AYES: Mr. Clinton, Mr. Martin, Dr. Scothorn, Dr. Bailey

NAYS: None

ABSENT: Mr. Sloan ABSTAINING: None

Mr. Sloan arrived at this time (12:37 P. M.)

The Chairman called the meeting back to order at 2:00 P. M.

On motion by Dr. Scothorn, seconded by Mr. Sloan, 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 19-08-02)

AYES: Mr. Sloan, Mr. Clinton, Dr. Scothorn, Mr. Martin, Dr. Bailey

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. Sloan then led the group in reciting the pledge of allegiance.

Mr. Martin then asked for a moment of silence.

Mr. Arthur Chisom of Blue Ridge then spoke during the public comment period. Mr. Chisom stated that he wanted to bring the Regional Jail's policies to the Board's attention. Mr. Chisom stated that the Jail's visitation policies do not take the inmates' families into consideration. He noted that the families are only permitted one 15 minute visit on Saturdays while other jail facilities have two scheduled family visitation days. Mr. Chisom stated that the citizens/ taxpayers deserve better.

Mr. Martin stated thanked Mr. Chisom for his comments and said that the Board would share his concerns with the Sheriff.

Mr. Chisom stated that there are several other inmate families that are upset with this policy, not just him, and there has been discussion about petitions being circulated to have the policy changed.

After discussion by Mr. Martin, Mr. Chisom stated that he would also be interested in hearing the position of the newly elected Sheriff on this issue. He stated that the Sheriff should be someone that is "sensitive to the citizens/inmates" in this matter. Mr. Chisom stated that the current Jail visitation policy is the strictest in the Roanoke Valley.

Mr. Martin again thanked Mr. Chisom for his comments which would be forwarded to the Sheriff.

Mr. Martin than noted that Dr. Lisa Chen, Superintendent of Schools, was present at the meeting.

Mr. Martin, Mr. Larowe, and Mr. Moorman then recognized those individuals who have been employed by the County for 5, 10, 15, 20, and 25 years. Mr. Moorman then asked that each employee come forward as their name is called for presentation of a certificate of recognition: Five years—Amy Britt, Deputy Treasurer; Karen Dunbar, Bookkeeper; Ryan Hartberger, Lieutenant, Department of Fire & EMS; Thomas Holdren, Firefighter/EMT ALS; Jonathan Holmes, Systems Support Engineer; Brandon King, Combination Inspector; Christina (Nicole) Pendleton, Director of Community Development; and Cody Sexton, Assistant to the County Administrator; Ten years--Mary Blackburn, Director of Human Resources; John (David) Dupree, Mechanic/Technician; Douglas Marsh, Maintenance Technician; Maggi Perry, Paralegal; and Sarah Pugh, Office Manager Department of Fire and EMS; Fifteen years--Brian Bower, Application Support Analyst; Heather Gilliland, Legal Assistant; Cathy King-Ripley, Library Assistant; and Sharon Porter, Library Assistant; Twenty years--Melina Marshall, Deputy Commissioner of Revenue; Twenty-five years--Debra Firebaugh, Chief Deputy Commissioner of Revenue.

It was noted that those employees who were unable to attend today's meeting would be presented with their certificates at a later date (Justin Bunn, Firefighter/EMT ALS; Darryl Foutz, Desktop Support Technician; and Gillian Deegan, Assistant Commonwealth's Attorney).

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

Ms. Katie Boyle, Director of Government Affairs with the Virginia Association of Counties (VACo), was then present to speak to the Board. Ms. Boyle stated that VACo was founded in 1934 to serve the efforts of County officials. She noted that in 2003 VACo created an Achievement Award program to recognize excellence in local government programs.

Ms. Boyle stated that she is here today to present the County an award for the Seed Library program at the Eagle Rock Library. She noted that this is the County's fifth VACo Achievement Program award.

Ms. Boyle stated that 96 entries were received in 2019 and 26 awards were presented to 20 counties. She noted that the applications were reviewed by Larry Land, retired VACo Director of Policy Development, Tedd Povar, retired Associate Director of the Virginia Institute of Government; and Dr. Sheryl Bailey, former Chesterfield County Deputy County Administrator.

Ms. Boyle stated that these awards acknowledge innovative approaches to governmental situations, encourage intergovernmental cooperation, and provide models for other localities to follow. The award was then presented to Ms. Jamie Duval, Eagle Rock Librarian, and Ms. Julie Phillips, Library Director.

Ms. Duval stated that it is an honor to be nominated for this award. Ms. Duval stated that this award application process was an opportunity to give back to an organization that has meant so much to her.

Ms. Phillips stated that the Library System is proud of Ms. Duval and her team for putting this application together. She noted that the Library staff saw an opportunity and took advantage of it. Ms. Phillips further stated that the community gave their time, effort, and materials for the Seed Library program and they should also be proud of receiving this award.

The Board congratulated Ms. Duval and Ms. Phillips for receipt of this award and thanked Ms. Boyle for making this presentation.

Fire Chief Jason Ferguson then introduced Mr. Joshua Johnston, Firefighter/EMT, to the Board. He noted that Mr. Johnston previously worked for 4½ years at the Roanoke County Department of Fire and EMS and recently graduated from the Regional Fire Academy. Chief Ferguson further stated that Mr. Johnston began his fire/EMS career as a volunteer with the Riner Volunteer Fire Department in Montgomery County.

Mr. Martin noted that it is good to have trained firefighting personnel who want to work for the County and welcomed Mr. Johnston to employment with Botetourt County.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 18-08-03)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on July 23, 2019;

Adoption of the following resolution declaring September as "National Preparedness Month":

**WHEREAS**, emergency preparedness is vital to the resiliency of the community during times of disaster; and

**WHEREAS**, natural and manmade disasters around the world have increased in frequency and severity over the past decade, taxing local, state, and federal resources for response, mitigation, and recovery efforts; and

**WHEREAS**, local emergency and community disaster preparedness is the best means of saving lives and being ready to react and respond to the unpredictable nature of disasters; and

**WHEREAS**, the Department of Homeland Security and the Federal Emergency Management Administration (FEMA) recognize and promote emergency preparedness during the month of September each year, to “promote family and community disaster and emergency planning now and throughout the year;” and

**WHEREAS**, local emergency management officials work to ensure readiness for public safety, in partnership with the Virginia Department of Emergency Management, American Red Cross, and many other partnership agencies; and

**WHEREAS**, Botetourt County wishes to ensure a safe, prepared, and resilient community that is able to react and respond to disasters, thus saving lives and protecting property;

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors, in recognition of this event, do hereby proclaim the month of September 2019, as **EMERGENCY PREPAREDNESS MONTH**, with the theme “Prepared, Not Scared.”

Adoption of the following resolution regarding declaring a sole source bid award to CST Storage in the amount of \$332,959 for the replacement of the existing leachate product tank and the repair of the containment tank located at the County landfill to be paid from CIP-Leachate Tank Maintenance, account #100-4094000-81510-3800-804; and approved an additional appropriation of \$32,959 from the General Fund-Undesignated Fund Balance to CIP-Leachate Tank Maintenance, account #100-4094000-81510-3800-804:

**WHEREAS**, it has been determined that the Leachate Tank at the Landfill must be replaced and the containment tank repaired, and therefore Botetourt County must procure these services; and,

**WHEREAS**, the County has consulted with Draper Aden Associates engineers, and CST Storage the original manufacturer of the tank to determine the Summary of Work needed; and,

**WHEREAS**, Section 2.2-4303 of the Code of Virginia provides that a contract may be awarded without competitive sealed bidding or competitive negotiation when a determination is made that there is only one source practicably available; and,

**WHEREAS**, the engineers and the manufacturer have confirmed that only one provider is qualified to provide the replacement and repair, that being CST Storage; and,

**WHEREAS**, in consideration of the above and the confirmation letters attached, the County Administrator recommends to award the contract for the Leachate Tank Replacement and Repair to CST Storage in the amount of \$332,959.00;

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors authorizes this award be made to CST Storage as a Sole Source procurement.

Consideration was then held on approval of additional appropriation. Mr. Tony Zerrilla, Director of Finance, stated that there were 10 pass through and two regular appropriations for the Board’s consideration. He noted that they were for reimbursement costs, miscellaneous receipts, an additional funding source for the Ashley Plantation road improvement projects, State and local economic development incentives, receipt of State grant funds, and purchase of Emergency Response Team headsets and helmets through Sheriff’s Department FY 19 budget savings.

There being no discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following additional appropriations. (Resolution Number 19-08-04)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Additional appropriation in the amount of \$1,732.94 to the following Correction & Detention accounts: \$1,482.94 to Medical & Lab Supplies, 100-4033100-33100-6004; and \$250.00 to Uniforms, 100-4033100-33100-6011. These are reimbursed funds pertaining to medical and contract costs.

Additional appropriation in the amount of \$701.21 to the following Sheriff's Department accounts: \$564.06 to Vehicle Supplies, 100-4031200-31200-6009; and \$137.15 to Uniforms, 100-4031200-31200-6011. These are reimbursed funds primarily relating to extradition and contract costs.

Additional appropriation in the amount of \$4,009.70 to the following Sheriff's Department accounts: \$2,467.51 to Wages-Overtime, 100-4031200-31200-1200; \$1,080.00 to Forest Patrol Salaries, 100-4031200-31200-1800; and \$462.19 to FICA, 100-4031200-31200-2100. These are reimbursements of National Forest Patrol and security-related costs provided at various County events.

Additional appropriation in the amount of \$1,062.50 to Dispatch – Uniforms, 100-4031400-31400-6011. These are funds reimbursing uniform costs.

Additional appropriation in the amount of \$5,352.38 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. This is for receipt of funds from a hazardous material cleanup incident.

Additional appropriation in the amount of \$225 to Community Development – Professional Services, 100-4081200-81200-3100. These are funds received for a Code violation for property not mowed.

Additional appropriation in the amount of \$3,000 to CIP – Greenway Project, 100-4094000-71000-8012-720. These are funds received from VDOT for a right-of-way for the Gala boat ramp property.

Additional appropriation in the amount of \$168,563.51 to CIP – Orchards of Ashley Road Project, 100-4094000-81200-8012-401. These are bond funds from a Letter of Credit that will be applied to cover project expenses.

Additional appropriation in the amount of \$312,500 to EDA Transfers, 100-4091800-91800-3800. These are Commonwealth Opportunity Funds for an economic incentive payment to Altec Industries for capital investments and job creation (see Appropriation #11 for the local portion).

Additional appropriation in the amount of \$300,000 to EDA Transfers, 100-4091800-91800-3800. These are Virginia Telecommunications Initiative (VATI) grant funds received for the Craig-Botetourt Electric Cooperative broadband project. A total of \$758,998 received from the State will be appropriated in the next few months.

Additional appropriation in the amount of \$112,500 to EDA Transfers, 100-4091800-91800-3800. This is the local share of economic incentive funds to be provided to Altec Industries.

Additional appropriation in the amount of \$42,535.80 to Sheriff's Department – Emergency Response, 100-4031200-31200-5870. This appropriation will cover the costs for the purchase of Emergency Response Team headsets and helmets. This appropriation is supported by FY19 budget savings in the Sheriff's department.

Consideration was then held on approval of Accounts Payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payables totaled \$1,121,325.89. He noted that this month's large expenditures included \$42,514 to Harris Enterprise Resources Planning for software maintenance service contracts, and \$147,973 to Motorola for the portable radio replacement project.

After questioning by Mr. Clinton, Mr. Zerrilla stated that the Altec incentive payment was for achievement of investment and employment targets as per their economic development performance agreement.

After further questioning by Mr. Clinton, Mr. Ken McFadyen, Economic Development Director, stated that Altec has met the agreement's employment and investment targets for 2019 and they are ahead of schedule in meeting their 2020 requirements. He noted that the Virginia Economic Development Partnership has requested that the County release the Altec incentive funds for 2019 and 2020.

There being no further discussion, on motion by Mr. Sloan, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the accounts payable and ratified the Short Accounts Payable as submitted. (Resolution Number 19-08-05)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Ray Varney, Resident Engineer, and Ms. Ashley Smith, Assistant Resident Engineer, with the Virginia Department of Transportation were then present to speak to the Board.

Mr. Varney introduced Ms. Smith to the Board as his new Assistant Resident Engineer. He noted that she has been working in his department for just over a month and he previously worked with her at VDoT's Salem District Office. Mr. Varney noted that she is a welcome addition to his staff.

Mr. Martin welcomed Ms. Smith to the Board meeting.

Mr. Varney then reviewed the monthly report. He noted that the Route 220 safety improvement project is proceeding; the two Route 11 bridge reconstruction projects are on schedule for completion this fall with both to be completed by November; the Ball Park Road bridge rehabilitation project is continuing, as is the bridge deck overlay work on I-81 at Exit 150.

Mr. Varney noted that roads have been selected for advertisement for the FY 2020 paving work and he will forward information to the Board members on which routes in their districts will be paved next year and the type of surface treatment that the road will receive. Mr. Varney further noted that the Route 220 northbound paving project between Exit 150 and Fincastle is proceeding. He stated that the section between Exit 150 and Daleville Town Center will be paved at night, while the section between International Parkway and Fincastle will have paving operations 24 hours a day. Mr. Varney noted that the work to Daleville Town Center (DTC) should be completed in approximately two weeks and the remaining work will begin once the work to the DTC is completed.

Mr. Varney stated that the Ashley Plantation and Orchards of Ashley street acceptance requests should be submitted to the Supervisors in the next few months. He noted that the County is moving forward with the contractor to complete the paving work on the three streets located in the Orchards of Ashley.

Regarding site plan reviews, Mr. Varney stated that plans for Daleville Town Center, Phase 3; Colonial Elementary School, Fieldstone Subdivision, Phase 1, and the Lithia Moody cell tower are currently being reviewed by VDoT staff. He also noted that VDoT issued 8 utility permits, 5 private entrance permits, and one commercial entrance permit in the past month.

Regarding Residency projects, Mr. Varney noted that VDoT has not been able to come to a resolution with the property owner at the Route 11/Simmons Drive intersection and this project has been removed from further consideration. Regarding the sight distance improvements

at the Shiloh Drive/Route 43 intersection, Mr. Varney stated that VDoT has not been able to get grass to grow on the project area due to the recent hot weather. He noted that VDoT will try again to seed this area in the fall.

Mr. Varney stated that VDoT is using safety improvement funds to reconstruct the shoulders on Old Fincastle Road south of the Zion Hill Road intersection. He noted that there is a steep bank on the west side of the roadway which has erosion problems and VDoT will use a soil nail wall to help alleviate this issue.

Mr. Varney further stated that the surveying work on Zimmerman Road is almost complete and VDoT should receive clearance for the environmental review permits by the end of this week. He noted that a road plan called a "straight line sketch" for this project is almost complete. Mr. Varney stated that their contractor should complete the White Church Road Rural Rustic Road project by the end of September and will then move his personnel/equipment to Zimmerman Road.

Mr. Martin stated that he received a lengthy letter from Mrs. Bailey of Zimmerman Road who said that she was told by a VDoT representative that the road would not be paved after the erosion/drainage work was completed as there was no funding available for pavement.

Mr. Varney stated that this project will be completed in the same manner as any gravel road project that VDoT undertakes—the roadway will be primed and double sealed. He noted that this road project will not be asphalted but will receive tar and gravel. Mr. Varney stated that the remaining funds from the McFalls Road project will be used on Zimmerman Road.

Mr. Martin stated that he would forward Mrs. Bailey's letter to Mr. Varney. After questioning by Mr. Varney, Mr. Martin stated that he is willing to visit Mrs. Bailey before September 5 to discuss her concerns.

Mr. Varney then stated that all non-paving work on White Church Road should be complete by the end of September. He noted that a bid has been advertised for surface treating this road. Regarding Murray Drive, Mr. Varney stated that VDoT is still working with the County staff on this project. He noted that they hope to begin construction work in early 2020.

Regarding traffic engineering studies, Mr. Varney stated that he should receive an update on the Route 220/460 Arterial Preservation Plan on Friday and citizen information meetings on the Plan are scheduled for September. Regarding area headquarters projects, Mr. Varney stated that the Lowe Street project in Buchanan, which included the removal of several trees, has been completed.

Mr. Varney then reviewed a map of the former truckstops property at Exit 150. He noted that the brown areas shown on the map are where trees were planted, the green area is a riparian buffer for sheet water flows from the Exit 150B off-ramp and the roundabout; and the yellow area is where the pollinator plantings are located. He further noted that there is a berm along the property's Route 11 frontage to shield traffic from the site.

Mr. Varney stated that he did not communicate well last month when he said that this approximate 12 acre site would not be mowed. Mr. Varney stated that the property will be mowed on a routine basis as other County roads--once a year sometime between October 15 and November 15 after the wildflowers have quit blooming. Mr. Varney noted that mowing will spread the wildflower seeds and cut down invasive species like locust and ailanthus.

After discussion, Mr. Varney further stated that someone recently asked him why VDoT didn't sell this property. He stated that the land inside of the ramp area is considered "limited access" by the Federal Highway Administration and cannot be developed.

Dr. Scothorn stated that he and Mr. Clinton would like to meet with Mr. Varney regarding improving the aesthetics of the Exit 150 interchange to make the area more pleasing. He also noted that there needs to be more of an effort to pick up trash in this area.

Mr. Varney stated that he is willing to meet to discuss their concerns.

Mr. Varney further noted that signs identifying the pollinator area on the former truck-stops property will be installed by VDoT staff in the next few months.

After questioning by Mr. Sloan, Mr. Varney stated that the former truckstops site is considered part of the interstate's property which is overseen by the federal government.

Mr. Martin then stated that a pipe at the end of State maintenance on McFalls Road appears to be damaged or clogged and is directing water across the road and into a resident's yard. He asked that VDoT check this situation to see if the culvert needs to be replaced or cleaned out.

Mr. Varney stated that he would have their staff check into this situation.

After questioning by Mr. Sloan, Mr. Varney stated that he had no update on the land transfer pertaining to the completion of the Blue Ridge Turnpike/Route 11 intersection project.

After questioning by Mr. Clinton, Mr. Varney stated that the Murray Drive improvement project is considered part of the Secondary System Six Year Plan's budget. After further questioning by Mr. Clinton, Mr. Varney stated that this will be a locally administered project and the County will be responsible for overseeing the hiring of an engineering firm to design this section of road.

Mr. Clinton then stated that he had received a call regarding needed pavement repairs between the 400 and 500 block of Deerfield Road. He noted that the most recent pavement patching work was of poor quality and is now deteriorating.

Mr. Varney stated that he will have this roadway section checked.

There being no further discussion, the Board thanked Mr. Varney for attending today's meeting.

Mr. John Kilby, Chair of the Economic Development Authority, and Mr. Ken McFadyen, Economic Development Director, were then present to give a report on recent EDA projects.

Mr. Kilby thanked the Board for inviting him and Mr. McFadyen to give this presentation. He noted that the Board of Supervisors created the County's Industrial Development Authority in 1969 to acquire, sell, exchange property, issue industrial development revenue bonds, borrow money, and accept grants, among other things. He stated that the IDA was renamed an EDA in late 2015.

Mr. Kilby stated that the EDA consists of seven members from diverse backgrounds (human resources, banking, insurance, utilities, manufacturing, etc.) who are appointed by the Supervisors. He noted that their meeting attendance is excellent and they have also attended seminars and visited prospect facilities in other jurisdictions.

Mr. Kilby stated that economic development in the County has changed in the last three years and the EDA appreciates Dr. Bailey's attendance as their Supervisors'-appointed ex-officio member. He noted that his appointment shows the Board's interest in, and support of, the EDA's activities.

After discussion, Mr. Kilby noted that the EDA reviews their monthly financial statements and invoices very carefully. He noted that the EDA currently owns three parcels of land—the Education and Training Center (ETC), the undeveloped Greenfield property, and a 15 acre lot in

Jack Smith Park in the Blue Ridge/Bonsack area, which was proposed to be used for a new elementary school site before property on Murray Drive was obtained for that purpose.

Mr. Kilby stated that two EDA members have been appointed to a committee to oversee the Colonial Elementary School project. He noted that the construction bids came in over budget and the committee was able to negotiate with the contractor to lower the cost. He also commended Mr. Jim Whitten's work as Project Manager. Mr. Kilby noted that Mr. Whitten is on site every day and the excavation work is going well.

Regarding the data center project at the ETC, Mr. Kilby stated that space has been rented to the Roanoke Valley Broadband Authority for creation of a data center. He noted that the staff has been working on calculations to ensure that it is profitable to bring additional broadband providers to the data center. Mr. Kilby stated that the EDA questioned the feasibility and economic impact of the data center when this proposal was brought before them for consideration.

Mr. Kilby also stated that the EDA approved the tax financing package for the Daleville YMCA facility which brings many citizens onto the Daleville Town Center property.

After discussion, Mr. Kilby stated that before 2016 the EDA was just an entity that approved tax-free financing; however, their additional responsibilities allow them to help the Supervisors by overseeing the County's economic development projects. He noted that the best thing that the County has done is hire professional economic development staff who have done a tremendous job for the County.

After questioning by Dr. Scothorn, Mr. Kilby noted that other members of the EDA who were present today are Mr. John Williamson, Mr. John Alderson, and Mr. John Griffin. Dr. Scothorn thanked the EDA members for their time and efforts to improve and add to the County's economic development opportunities. He noted that they have done a great job and he looks forward to a huge future in economic development and broadband expansion in the County.

Dr. Bailey stated that he has been the Board's representative on the EDA this year. He noted that the members volunteer their time and expertise to the benefit of Botetourt County. Dr. Bailey said that the EDA members' areas of knowledge are widespread and in-depth and add to the County's ability to work with industries that want to locate or expand in the County. He noted that the Board is fortunate to have them serve on the EDA and thanked the members for their work.

After questioning by Mr. Clinton, Mr. Kilby stated that the EDA has seven voting members and every County magisterial district is represented on the Authority. After further questioning by Mr. Clinton, Mr. Popovich, County Attorney, stated that he would research the State Code for the EDA's membership requirements and provide that information to Mr. Clinton.

Mr. Clinton stated that this has been a good presentation and it presented an opportunity for the public to hear about the EDA's recent activities.

Mr. McFadyen then reviewed the EDA's projects and announcements over the past three years: Arkay Packaging--\$15 million expansion and the creation of 50 new jobs; Eldor--\$75 million facility location in Greenfield and the creation of 350 new jobs; Ballast Point--a \$47.8 million brewery and the creation of 178 jobs; Canatal Steel--a \$1.5 million expansion and the creation of 38 new jobs without the inclusion of any County incentive funds; Altec--\$30.2 million facility expansion and the creation of 180 jobs; Pratt Industries--location in the Greenfield shell building with an investment of \$20.1 million and the creation of 50 jobs; and Metalsa--\$6.4 million expansion and the creation of 25 new jobs. He noted that the total capital investment to

date from these economic development projects is \$196 million and the creation of 871 new jobs in the County.

Mr. McFadyen stated that these announcements include a total annual payroll of \$40 million. He further stated that, from 2016 to date, these announcements have resulted in \$162 million in actual facility investment and the creation of 400 jobs.

Mr. McFadyen stated that the County monitors the economic development performance agreements with these companies to ensure their compliance with capital investment and job creation parameters. He noted that each of these companies is performing well and the County staff keeps in contact with their management staff.

After questioning by Dr. Bailey, Mr. McFadyen stated that he would say that these companies are close to meeting his expectations of compliance with their performance agreements.

After questioning by Mr. Clinton as to what the EDA needs from the Board to continue their success, Mr. Kilby stated that it means a lot that Dr. Bailey attends the EDA's meetings and offers direct contact with the Board. Mr. Kilby stated that he appreciates this type of support and communication and encourages the Board to continue with this process.

After discussion, Mr. McFadyen stated that the EDA assisted with the transfer of the Ann Whitesell property in Cloverdale to Lawrence Properties for the relocation of their Case equipment dealership from the Exit 150 area. He noted that this project allowed the former Case location to be made available for redevelopment at Exit 150.

Mr. McFadyen further noted that the EDA has been involved in updating the Greenfield Master Plan and the construction of West Center Drive which will allow three new lots to be marketed for economic development purposes in Greenfield. He also stated that the 15 acre former elementary school site in Jack Smith Park was returned to the EDA's ownership and plans are being made to develop the property into lot sizes suitable for smaller business locations.

Mr. Clinton thanked Mr. McFadyen and Mr. Kilby for this presentation and recommended that this report be given to the Board each year.

Mr. Martin also thanked them, along with the other EDA members, for their involvement and participation in the EDA and their willingness to give their time to the County's economic development activities.

Consideration was then given on a request to advertise for a public hearing on an amendment to Chapter 2. Administration of the Botetourt County Code regarding authority to consider citizen petitions for Community Development Authorities. Mr. Ken McFadyen, Economic Development Director, stated that the Board is allowed to create CDAs under the Code of Virginia. He stated that CDAs, which are independent boards appointed by the Supervisors, function as a special assessment district to finance major public improvements (infrastructure upgrades or community services) either through service fees or special tax assessments within the district. Mr. McFadyen noted that any such fees or special assessments are only allowed with the Supervisors' concurrence.

Mr. McFadyen noted that the Short Pump commercial area in Henrico County is a CDA. He stated that a CDA could be considered, for example, at Gateway Crossing, and would allow the County/Economic Development Authority (EDA) to facilitate the redevelopment of properties within this Urban Development Area. He noted that one of the tools that the County can use for the development of infrastructure is a CDA.

Mr. McFadyen stated that the Board cannot unilaterally create a CDA—citizens who own property that is either 51% of the land area or 51% of the assessed value of the area within the CDA must formally petition the Board to create such an authority. He noted that before the Board can consider such a petition, they must adopt an ordinance giving the County authority to do so. He noted that County Attorney Mike Lockaby has drafted this ordinance amendment which was included in their information packets.

Mr. McFadyen stated that this ordinance amendment will “give the County a vehicle” to create a CDA in the future, if it is determined to be beneficial.

After questioning by Dr. Bailey as to whether this is the normal operating procedure for most counties considering a CDA, Mr. McFadyen stated that a CDA requires an extra level of professionalism and progressiveness on a locality’s part. He noted that this type of authority is not widely leveraged but he thinks the County should explore this option.

Mr. Clinton then stated that this CDA could be applied to areas that are owned by developers not citizens—it is “self-correcting.” He then questioned that, once a CDA is created, does the governing body decide on the taxing mechanism that is put into place?

Mr. McFadyen stated that a levy ratio would be created and the CDA taxation rate determined once a petition is received by the Board.

After questioning by Mr. Clinton, Mr. McFadyen stated that a CDA could be created within UDAs, such as the Exit 150 area, but it could be instituted in other areas of the County as well if the petition requirements are met. After further questioning by Mr. Clinton, Mr. McFadyen stated that a CDA could be created on an “individual” property basis.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized staff to advertise for a public hearing on an amendment to Chapter 2. Administration of the Botetourt County Code pertaining to adopting authority for the consideration of citizen petitions for Community Development Authorities at the September regular meeting. (Resolution Number 19-08-06)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, 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 2019 tax year. Mr. Tony Zerrilla, Director of Finance, stated that in December 2005 the Supervisors adopted ordinance amendments regarding the PPTRA which addressed the new reimbursement method for car tax relief for vehicles valued between \$1,001 and \$20,000. He noted that the County receives State block grant monies each year (\$3,418,137.01) for car tax relief and staff annually determines the specific relief percentage figure on a per vehicle basis.

Mr. Zerrilla stated that he, the Commissioner of Revenue, and the Treasurer have met to review the impact of used car values, the qualifying vehicle values base, and tax relief percentages and are recommending that the Board adopt a resolution setting the rate at 52% for the 2019 tax year. He noted that the taxpayer-paid portion of personal property taxes for 2019 would be 48%.

Mr. Zerrilla then recognized Mr. Rodney Spickard for his work on developing this tax relief rate during his tenure as Commissioner of Revenue. He noted that Mr. Spickard has decided to not run for re-election this fall so this is the last year of his involvement in this process.

After further discussion, Mr. Zerrilla then asked that the Board adopt the resolution included in their agenda packets to set the personal property tax relief rate for the 2019 tax year.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board adopted the following resolution establishing the percentage reduction for the County's personal property tax relief at 52% for the 2019 tax year.

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 19-08-07

**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 2019 tax year.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 52% tax relief for the 2019 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.

Dr. Stephanie Harper, Director of the Alleghany Health District, then gave a presentation on the Community Health Initiative Priority Areas Report. She noted that a steering committee consisting of representatives from the Virginia Department of Social Services, the Roanoke Valley/Alleghany Regional Commission, Virginia Cooperative Extension, Blue Ridge Behavioral Healthcare, the Botetourt Sheriff's and Emergency Services departments, the County's Public Schools, Chamber of Commerce, etc., have been working on the Community Health Initiative since 2017.

She noted that they are excited about the progress so far and quoted Mr. Tom Vilsack, former U. S. Secretary of Agriculture, "People working together in a strong community with a shared goal and a common purpose can make the impossible possible." Dr. Harper stated that their goal as a group is to improve the health of the County's residents by identifying opportuni-

ties and addressing those areas as best they can. She noted that the Health Department created this steering committee to review data, set priorities, and develop an action plan.

Dr. Harper stated that the committee reviewed significant amounts of secondary data available on the County including housing, employment, transportation, crime rates, etc., and then developed initial community surveys which were placed throughout the County for the citizens to pick up and complete.

She noted that 616 surveys were completed and returned and these responses were used to create a more-detailed survey which generated in 468 responses. Dr. Harper stated that these responses were compiled into categories and six community focus groups were created to develop priority categories from these responses. She noted that 54 areas of opportunity were identified and the steering committee developed categories for these areas.

Dr. Harper stated that these priority categories and their prioritization topics were: Early childhood (0 – 5 years of age)—school/kindergarten readiness and affordable, quality childcare; Child (6 – 10 years of age)—after-school activities/tutoring and oral health/dental care; Youth (11 – 17 years of age) risky behaviors and after-school activities/tutoring; Adult (18 – 64 years old)—low health literacy and mental health concerns; Older adult (65+ years old)—transportation and aging in place (help with home, domestic, and lawn care; Family—obesity/overweight (healthy eating and physical activity) and no and low-cost physical activities; and Community—knowledge of resources and not enough low cost and public events/spaces.

Dr. Harper stated that the committee then decided that more community input was needed and scheduled four “Community Health Launches” to review the survey results, set priorities, and plan for the future. She stated that at these meetings the committee discussed the process to date, the data gathered, and asked the attendees what was important to their family in order to determine the final prioritized health topics.

She noted that these finalized health topics were: Older adult—aging in place; health, social and emotional needs; help with home, domestic, and lawn care; and transportation; Youth—risky behaviors; Early childhood—affordable, quality childcare.

She then reviewed pie charts showing the percentages of “older adult” responses to various questions, e.g., does the community where you live have affordable home healthcare providers or home care services (health, personal care, and housekeeping); do you need to make modifications to your home (ramp, chairlift, elevator, bathroom modifications) to enable you to stay there as you age.

Dr. Harper stated that transportation was also an issue for older adults as they are likely to restrict their driving due to bad weather, limit night-time driving and on high-speed roads, have concerns over their ability to drive, and mobility impairment. She noted that the survey indicated that these citizens did not think that the County was a strong, healthy community due to there being no transportation resources/lack of public transportation which limits their activities; doctor’s visits; access to fresh, healthy foods; increase of walking in areas without sidewalks; and requiring them to rely on family or friends for transportation.

She stated that the Botetourt Youth Risk Behavior Survey showed that 31.9% of high school students have tried cigarette smoking, 62.6% had at least one drink of alcohol on one or more days during their life, 28% were physically active for a total of 60 minutes each day for the past week, and 45.6% had sexual intercourse with 12.8% of those youths not using any methods to prevent pregnancy during their last sexual intercourse.

Dr. Harper stated that the survey results showed that teenagers believe that positive teen activities, along with higher-paying employment, better/more recreational activities, and internet service are most in need of improvement in their community.

She then stated that the final health topic for Early Childhood included concerns about access to affordable, quality childcare; lack of Head Start and daycare facilities; and lack of transportation (bus system) for preschool.

In conclusion, Dr. Harper stated that the committee will focus on the priority areas for the three age groups—Older adults, youth, and early childhood. She noted that their next steps are to create an action plan for these three priorities at meetings scheduled in September. She invited the Board members to participate in these meetings or make recommendations of individuals to attend these meetings.

Dr. Harper then thanked the Board for allowing her to give this presentation.

After questioning by Dr. Bailey as to whether there was anything unique to Botetourt County in these focus areas, Dr. Harper stated that the County's focus areas were common with other areas' health initiative programs. She noted that transportation is an area of concern but there was nothing unusual in the report's data. She further noted that there is a lot of good work already being done in the County.

Dr. Scothorn noted that the County does need a better transportation system to get patients to their doctor's appointments, grocery stores, pharmacies, etc., and broadband access for those individuals that are not mobile.

Dr. Harper stated that these are powerful ideas of ways to increase access for individuals as it would be an "extra boost" to connect these individuals to services. She also noted that home health nurses can also be a resource of providing information to their patients about available services and activities in the County. Dr. Harper stated that the Daleville YMCA is being used by many County residents and there are a lot of venues (media, social websites, etc.) to connect people to available opportunities or assistance.

After questioning by Mr. Clinton, Dr. Harper stated that this is not a one-time study—it is conducted on a regular cycle. She noted that they have assessed the community, obtained information and set priorities, are continuing to access and develop action plans, and implement and work through what needs to be done. She further stated that partnerships will be developed to work with identified areas of opportunity over the next 3 – 4 months and they will then implement and monitor these activities. Dr. Harper stated that there would be a final project report developed, with the assistance of Virginia Tech, for presentation to the County.

Dr. Harper stated that "it will take all of us to make a difference."

There being no further questions, Mr. Martin then thanked Dr. Harper for sharing these priorities with the Board.

Mr. Clinton then stated that he had received questions from citizens regarding the status of the Apex Wind Energy facility in northern Botetourt County and questioned if staff could provide an update.

Mr. Larrowe stated that the Supervisors approved a Special Exceptions Permit (SEP) for this wind farm in the Gala area of the County in January 2016. He noted that this permit has a 5 year "sunset" requirement that the project be operational by January 2021. He noted that, if the project is not completed by that time, the SEP would expire and Apex Wind Energy would have to apply for a new SEP from the County.

Mr. Larrowe noted that this project was for the installation of up to 25 wind turbines each at a height of 550' tall. He noted that Apex also stated that they would make improvements to Dagger Spring Road. Mr. Larrowe noted that the company obtained the required State permits for this facility but there has been no construction on this site to date. Mr. Larrowe stated that he believes it will be difficult for Apex to meet the January 2021 completion target date.

After discussion, Mr. Larrowe stated that, based on the project's valuation, the County would receive \$16.8 million in total tax revenue over 30 years based on a tax rate of 0.99/\$100 valuation. He noted that these revenues would be based on a depreciation schedule.

Mr. Larrowe stated that there has been no activity on the site as of this time and no building permits have been granted.

Mr. Clinton stated that "what jumps out to him is the January 2021 completion date" for this project.

Mr. Larrowe also noted that Apex will also need to conduct logging operations on this property which will have to be completed by March 15 to avoid impacts with native bat nesting seasons.

After questioning by Dr. Bailey, Mr. Larrowe stated that the wind farm has to be operational by January 2021 to comply with the provisions of the SEP.

After questioning by Mr. Sloan, Mr. Larrowe noted that the wind farm is limited to no more than 25 wind towers.

Mr. Clinton thanked Mr. Larrowe for this information.

Consideration was then held on nomination of appointees to the Board of Equalization.

Mr. Larrowe noted that the following individuals have been contacted and are willing to serve in this capacity: John Kilby, former CEO of the Bank of Fincastle; Ralph Smith, former State Senator; Lewis Sifford, realtor and developer; and Bobby Omer, former Board of Supervisors member who previously worked at Roanoke Cement Company.

Dr. Scothorn stated that this past weekend he had received confirmation from Mrs. Allison Lucas that she would also be willing to serve on the Board of Equalization.

There being no further discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board nominated the following individuals to serve on the Board of Equalization for the 2020 reassessment: John Kilby, Ralph Smith, Lewis Sifford, Bobby Omer, and Allison Lucas, and directed staff to forward these names to the Circuit Court Judge for appointment. (Resolution Number 19-08-08)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the meeting was adjourned at 4:10 P. M. until 6:00 P. M. (Resolution Number 19-08-09)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

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

A public hearing was then held on a request in the Buchanan District from Rodney Lynn Underwood, Jr., (Isaac N. Underwood, lessee) for a Special Exception Permit, with possible conditions, for a private kennel for up to 16 dogs in the Rural Residential (RR), formerly the Agriculture Residential (AR), Use District in accordance with Section 25-113. Uses permissible by special exception (8) Kennel, private of the Botetourt County Code on a 2.0 acre lot located at 128 Cove Mountain Lane, Buchanan, identified on the Real Property Identification Maps of Botetourt County as Section 54, Parcel 22.

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

Mr. Drew Pearson, County Planner, stated that this request was originally brought before the Planning Commission in June; however, the applicant requested that the hearing be deferred until August. He noted that this 2 acre parcel is located on a private, dead-end road in the Arcadia area of the County. He noted that there are four houses located between Mr. Underwood's property and the end of the road and one residence between Mr. Underwood's property and the Chapel Road (Route 622) intersection.

Mr. Pearson noted that he and Planning Commission member Steve Kidd recently visited the site and counted 13 dogs outside and heard additional dogs located in the house. He noted that no one was home during this visit. Mr. Pearson then presented the Board with photographs of the site during his visit.

Mr. Pearson stated that this parcel is surrounded by Agricultural-Rural Residential, Forest Conservation, and Agricultural-zoned properties along with the CSX Railroad tracks. He noted that the closest residence is approximately 65' from Mr. Underwood's property line. He further noted that Mr. Underwood's house is located very close to the property line. Mr. Pearson stated that SEP regulations require that private kennels be located at least 100' away from a neighboring residence.

Mr. Pearson stated that the applicant did not attend the July or August Planning Commission meetings to explain his request and answer questions/concerns and no additional information has been provided to the staff about relocating the kennel to meet the 100' setback requirement.

Mr. Pearson stated that the Planning/Zoning Office has received four calls in opposition to this request and two individuals spoke in opposition at the Planning Commission meeting. He further stated that staff has drafted conditions for the Board's consideration if this request is approved: to limit the number of dogs to 16, the kennel must be subject to the provisions of the County's Noise Ordinance, and the kennel must be relocated to meet the 100' setback requirement from an adjoining residence.

Mr. Edmund Frost of Louisa, Virginia, stated that he owns the lot at 90 Cove Mountain Lane and co-owns the lot located at 62 Cove Mountain Lane. Mr. Frost stated that he had plans to renovate the house and create a hostel for hikers on this property prior to Mr. Underwood locating his dogs on this parcel. He noted that Isaac Underwood moved to the property at 128 Cove Mountain Lane in September 2016 and brought several dogs to the property.

Mr. Frost stated that he talked to Mr. Underwood about the dogs' barking as they were located only 65' from his house but the situation only got worse over the following months as the dogs barked throughout the day. Mr. Frost noted that he was also concerned with the well-being of the dogs, a lack of food and water, and occurrences of Mr. Underwood yelling and kicking the dogs. He noted that Mr. Underwood became unpleasant when he discussed those concerns with him and he filed a complaint with the Planning/Zoning Office about this issue earlier this year.

Mr. Frost stated that he moved out of the Cove Mountain property in 2017 because of the dogs and stated that this situation makes his house unsellable. He requested that the Board deny this SEP as this is an unworkable situation.

Ms. Marilyn Bverkens of Plank Road in Natural Bridge stated that she has known Mr. Frost, who is an author and has worked with the Virginia Cooperative Extension Service, for 10 years. Ms. Bverkens stated that on several occasions she visited Mr. Frost in Arcadia. She noted that Mr. Underwood's dogs would bark almost constantly and would not settle down which made it difficult to have a conversation outdoors. Ms. Bverkens stated that she understands why Mr. Frost could not continue to live on his property.

Mrs. Bverkens stated that she considered purchasing Mr. Frost's property but, with the dogs being located so close to the residence and their continual barking, she would not do so. She requested that the Board deny this request.

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

After questioning by Dr. Scothorn, Mr. Jake Gossett, Animal Control Officer, stated that he has visited this site several times over the past few months. He noted that the dogs' kennel is located very close to the neighboring house. Officer Gossett stated that he visited the site after the August Planning Commission meeting and noticed that one dog needed to see a veterinarian. Officer Gossett stated that the site was in good condition; however, the Commission members had conducted a site visit to the property the day before. Officer Gossett stated that in his opinion the applicants had done "just enough" improvements to the site prior to the Commission's visit "to get by."

After questioning by Mr. Sloan, Officer Gossett stated that the maximum number of dogs allowed on a parcel without a Special Exceptions permit, is four. Officer Gossett stated that, when he visited the site, there were 13 dogs located outside on this parcel.

After further questioning, Officer Gossett stated that the Animal Control Officers inspect private kennels once a year; however, they cannot inspect a kennel without an appointment with the landowner/renter.

After questioning by Dr. Scothorn, Dr. Bailey stated that if a veterinarian notices a mistreated or malnourished dog/cat they inform the Animal Control Office for follow-up.

After questioning by Dr. Scothorn, Officer Gossett stated that Mr. Underwood has bear hunting dogs on his property.

After questioning by Dr. Bailey, Officer Gossett stated that the dog located inside the home was a mixed breed; not a bear dog.

Mr. Martin noted that the Board members had also received an anonymous letter opposing this request.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Bailey, and carried by the following recorded vote, the Board denied the request in the Buchanan District from Rodney Lynn Underwood, Jr., (Isaac N. Underwood, lessee) for a Special Exception Permit for a private kennel for up to 16 dogs in the Rural Residential (RR), formerly the Agriculture Residential (AR), Use District in accordance with Section 25-113. Uses permissible by special exception (8) Kennel, private of the Botetourt County Code on a 2.0 acre lot located at 128 Cove Mountain Lane, Buchanan, identified on the Real Property Identification Maps of Botetourt County as Section 54, Parcel 22, due to setback issues regarding the location of the kennel and complaints from neighbors regarding barking dogs. (Resolution Number 19-08-10)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Fincastle District from Gala Industries, Incorporated, and Gala Industries, Inc., to rezone, with possible proffered conditions, a total of 31.74 acres to the Industrial (M-2) Use District for industrial manufacturing processes in accordance with Section 25-342. Permitted uses of the Botetourt County Code. The request involves the following properties: Parcel 37-71, a 4.33-acre lot owned by Gala Industries Incorporated located in the Agricultural (A-1) Use District, on Mt. Moriah Road (State Rt. 681), approximately 0.2 miles west from its intersection with Pauley Street (State Route 682) in Eagle Rock; Parcel 37-69, a 16.163-acre parcel owned by Gala Industries, Inc., in the Agricultural (A-1) Use District, located on Mt. Moriah Road, approximately 0.1 miles west of its intersection with Pauley Street and extending south to the Old Fincastle Road (State Route 655)/Pauley Street intersection in Eagle Rock; Parcel 37-71, a 9.45-acre lot owned by Gala Industries, Inc., in the Agricultural (A-1) and Industrial (M-1) Use Districts, located at 181 Pauley Street, Eagle Rock; and Parcel 37-86, a 1.8-acre parcel owned by Gala Industries, Inc., in the Agricultural (A-1) Use District located at the intersection of Old Fincastle Road and Pauley Street. These parcels are identified on the Real Property Identification Maps of Botetourt County as Section 37, Parcels 69, 70, 71 and 86.

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

Mrs. Nicole Pendleton, Director of Community Development, stated that this request involves the rezoning of four parcels consisting of 4.33, 16.16, 9.45, and 1.8 acres. She noted that Gala Industries has been in business since 1959 and moved to the current site on Pauley Street south of Eagle Rock in 1970. She further noted that the 9.45 acre parcel is split-zoned (A-1 and M-1) while the remaining three parcels are zoned A-1. Mrs. Pendleton stated that the applicants are requesting to zone all four parcels to Industrial M-2 Use.

Mrs. Pendleton noted that representatives from Gala Industries were present to answer any questions. She further noted that, when staff met with the applicant to review the rezoning application, a field survey of these parcels was requested. Mrs. Pendleton stated that this survey indicated a higher acreage on 2 parcels for a total surveyed acreage of 42.736 acres than what is shown in the Commissioner of Revenue's records (31.74 acres). She further stated that the Code of Virginia requires that the rezoning public hearing advertisement be based on data supplied by the Commissioner (31.74 acres).

Mrs. Pendleton stated that Gala Industries wants to construct a 20,000 square foot expansion of their facility in the next few months and are also planning a future 60,000 square foot building expansion.

After discussion, she noted that the Planning staff received one telephone call prior to the Planning Commission meeting from a citizen who had questions about the company's proposal. She noted that the citizen also requested that the line of trees along the western property boundary remain undisturbed. Mrs. Pendleton stated that the applicant has said that there are no plans to remove these trees at this time.

Mrs. Pendleton noted that the Planning Commission recommended approval of this request with the following proffered condition: Noise levels will comply with County noise level ordinances.

Mr. Keith McMurry, Plant Engineer, then stated that Gala Industries has been in business since 1959 and have been located at this site for 49 years. He noted that they make underwater pelletizers and centrifugal dryers for the plastics industry and have customers worldwide. He stated that they have developed a new, larger dryer model which requires 35' of vertical space, thus the need for their facility expansion.

Mr. McMurry stated that they plan to consolidate their operations in Eagle Rock from a leased site in Roanoke County. He noted that there are no new jobs planned at this time as a result of this expansion; however, they may need additional employees in the future.

After questioning by Dr. Bailey, Mr. McMurry stated that one neighbor spoke at the Planning Commission meeting regarding concerns about noise and removal of vegetative screening between the two properties. Mr. McMurry stated that they plan to retain the treeline at the rear of the property.

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

There being no further discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following condition. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other: (Resolution Number 19-08-11)

AYES: Dr. Bailey, Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

**GALA INDUSTRIES, INCORPORATED,  
and GALA INDUSTRIES, INC.**

In the Fincastle District to rezone a total of 42.736 acres to the Industrial (M-2) Use District for industrial manufacturing processes in accordance with Section 25-342. Permitted uses of the Botetourt County Code. The request involves the following properties: Parcel 37-71, a 4.33-acre lot owned by Gala Industries Incorporated located in the Agricultural (A-1) Use District, on Mt. Moriah Road (State Rt. 681), approximately 0.2 miles west from its intersection with Pauley Street (State Route 682) in Eagle Rock; Parcel 37-69, a 16.163-acre parcel owned by Gala Industries, Inc., in the Agricultural (A-1) Use District, located on Mt. Moriah Road, approximately 0.1 miles west of its intersection with Pauley Street and extending south to the Old Fincastle Road (State Route 655)/Pauley Street intersection in Eagle Rock; Parcel 37-71, a 9.45-acre lot owned by Gala Industries, Inc., in the Agricultural (A-1) and Industrial (M-1) Use Districts, located at 181 Pauley Street, Eagle Rock; and Parcel 37-86, a 1.8-acre parcel owned by Gala Industries, Inc., in the Agricultural (A-1) Use District located at the intersection of Old Fincastle Road and Pauley Street, identified on the Real Property Identification Maps of Botetourt County as Section 37, Parcels 69, 70, 71 and 86.

1. Noise levels will comply with County noise level ordinances.

Consideration was then held on an economic development performance agreement with Gala Industries, Inc. Mr. Ken McFadyen, Economic Development Director, stated that the County has been working with Gala over the past six months regarding a proposed expansion to their Eagle Rock facility. He noted that the performance agreement as included in the Board's agenda packet will allow for retention of jobs in the County and the region.

Mr. McFadyen stated that the company is proposing a \$4.5 million expansion in their facility including additional building and machinery investments. He stated that Gala Industries' parent companies (Maag and Dover) have facilities in Ohio and North Carolina which competed for this expansion project. He noted that local incentives in the amount of \$50,000 are offered in this performance agreement which are tied to the company meeting certain milestones regarding construction and installation of equipment.

Mr. David Jewell, Gala's Director of Operations, thanked the County and the EDA for their support and the staff's assistance on this facility expansion project.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved an economic development performance agreement with Gala Industries and authorized the County Administrator to sign all appropriate documents on the Board's behalf. (Resolution Number 19-08-12)

AYES: Mr. Clinton, Mr. Sloan, Mr. Martin, Dr. Bailey, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the Chairman continued the meeting at 6:32 P. M. until 6:00 P. M. on Thursday, September 12, 2019, at the Virginia Tech Carilion Building at 2 Riverside Circle in Roanoke for a meeting with Carilion/Virginia Tech.