

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, August 28, 2018, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:00 P. M.

PRESENT: Members: Mr. L. W. Leffel, Jr., Chairman
 Dr. Donald M. Scothorn, Vice-Chairman
 (arrived at 12:07 P. M.)
 Mr. Steve Clinton
 Mr. I. Ray Sloan
 Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:01 P. M.

On motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board went into Closed Session to discuss personnel issues; staff evaluations and information prepared to evaluate a proposal under the Public-Private Education Facilities Act of 2002 by County Waste; consideration of the acquisition of property for public purposes or the disposition of publicly held real estate in the Valley District where discussion in open session would adversely affect negotiations; discussion concerning a prospective business or industry or the expansion of an existing business or industry in the Valley and Blue Ridge Districts 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 and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County relating to the Aqua rate case pursuant to Section 2.2-3711(A) (1), (3), (5), (7), (8), and (28) of the Code of Virginia, 1950, as amended. (Resolution Number 18-08-05)

AYES: Mr. Leffel, Mr. Clinton, Mr. Sloan, Mr. Martin

NAYS: None

ABSENT: Dr. Scothorn

ABSTAINING: None

The Chairman called the meeting back to order at 2:02 P. M.

On motion by Mr. Leffel, seconded by Dr. Scothorn, 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 18-08-06)

AYES: Mr. Leffel, Mr. Sloan, Mr. Clinton, Mr. Martin, 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. He asked that those present reflect on the recent passing of Senator John McCain.

Dr. Scothorn then led the group in reciting the pledge of allegiance.

Mr. Martin then asked that Ms. Jan Smith; Ms. Susan Goad, Social Services Director; and those Board of Social Services members who were present, to come forward. Mr. Martin noted that Ms. Smith is being recognized for her retirement after many years of service to the Social Services Board.

He then read the following resolution which had been signed and framed for presentation:

WHEREAS, Jan Smith has diligently served the citizens of Botetourt County as a member of the Social Services Administrative Board since August 2011; and,

WHEREAS, Ms. Smith has been involved in social services work in a variety of localities and positions for over 65 years prior to coming to Botetourt County; and,

WHEREAS, Ms. Smith began her career as a social worker in Baltimore City where she determined eligibility for assistance programs and spent her last 28 years as an employee for the Commonwealth of Virginia as a supervisor of local agency programs; and,

WHEREAS, during Ms. Smith's tenure on the board, she was known as the social services historian, educating and informing the board and community about the changes and improvements she has seen in social services over the years; and,

WHEREAS, as of June 29, 2018, Ms. Smith officially resigned as a board member for Social Services;

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Botetourt County, on its own behalf and on behalf of the citizens of Botetourt County, extends its appreciation and gratitude for Ms. Jan Smith's dedication and commitment in her long career in supporting and advocating for the neediest of those among us in an outstanding manner.

FURTHER, the Board wishes Ms. Jan Smith good luck and good health in her retirement from service.

Mr. Martin stated that Ms. Smith has a wealth of knowledge from her years of being involved in various aspects of social services work and her experience will be missed at the monthly Social Services Board meetings.

Mr. Martin noted that Ms. Betty Painter and Ms. Lee Minnix, who serve as members on the Social Services Board, were also present at this meeting.

After questioning by Mr. Martin, Ms. Smith stated that she was a "dedicated fool" for volunteering to serve on so many boards and committees. She thanked the Board and Mr. Martin for this proclamation.

Mr. Martin stated that her work has been appreciated and she will be missed.

Mr. Leffel, Mr. Larrowe, and Mr. Moorman then recognized those individuals who have been employed by the County for 5, 10, and 15 years. Mr. Moorman then asked that each employee come forward as their name is called for presentation of a certificate of recognition: Five years—Penny Firestone, Van Driver; Vincent Seneker, Technology Services Systems Administrator; Susan Tincher, Purchasing Manager; Ten years—Brandon Golla, EMT/FF-ALS; and Fifteen years—Clarence Burrell, Custodian; David Givens, Development Services Manager; and Veronica Ramsey, Bookkeeper II.

It was noted that those employees who were unable to attend today's meeting would be presented with their certificates at a later date (Shelby Bryant, Tournament Facility Supervisor; and Leslianne Smith, Deputy Circuit Court Clerk).

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

A presentation was then held on two new workforce development commercials. Mr. Ken McFadyen, Economic Development Director, stated that these television commercials were created to promote employment opportunities in the County and to support the County's employers in their employee recruitment efforts.

Mr. McFadyen noted that the County procured videography services and these commercials were created by Mr. Quintin Bennett with Scorpion Pictures. He further noted that the County is prepared to enter into a contract with Comcast to begin airing the commercials on various cable stations beginning in September. Mr. McFadyen noted that these commercials will help the community to "understand what is behind the walls of our various employers." He stated that these first two commercials concentrate on Lawrence Transportation Systems and the Botetourt Technical Education Center and representatives from both are present at this meeting. He noted that future commercials are also planned for Arkay Packaging, Ballast Point, Eldor, and the County's agriculture community.

Mr. McFadyen further stated that these commercials will be aired through Lumos' cable television system in Botetourt and Alleghany counties, along with the cities of Harrisonburg and Waynesboro; through X-Finity which serves 15,600 households in Botetourt, Roanoke, and Rockbridge counties, and DirecTV has also agreed to air the commercials on several satellite channels. He noted that, in total, 86,300 households will be reached with these commercials.

The Lawrence Transportation commercial was then shown.

Mr. Peer Segelke with Lawrence Transportation thanked the County for their partnership in creating this commercial highlighting their business. He noted that LTS has been in business for 86 years, has approximately 500 employees, and is employee-owned.

Mr. Segelke stated that, with the current low unemployment levels, it is challenging to find workers and this video will give potential employees the "flavor" of what the company does so possibly they would be interested in working for LTS. He stated that they currently have 15 job openings not including truck driver vacancies.

The BTEC commercial was then shown.

Mr. John Busher, Superintendent of Schools, noted that the school system's mission statement says that they will ensure that all students participate in quality learning experiences. He noted that various County, School, and educational representatives participated in tours of the County's businesses/industries two years ago which provided a connection to what those businesses needed in and from their employees. He noted that the Schools used this information to craft their workforce preparation curriculum to make students aware of the employment opportunities that are available in the County.

Mr. Busher noted that the BTEC commercial includes statements from the students involved in these workforce programs and "it says a lot" when other students hear from their peers about their experience with these programs.

Mr. Mike Ketron, Principal at BTEC, stated that BTEC is about workforce development and they try to show their students the opportunities that are available in the County's businesses. He noted that 12 BTEC students participated in their new "signing day" ceremony last year which recognized their attainment of full employment with area businesses upon high school graduation. Mr. Ketron stated that they will have more BTEC students participating in this spring's signing ceremony.

Mr. Ketron stated that he appreciated the Board's support of this project.

The Board thanked Mr. McFadyen for his efforts in the development of these commercials.

After questioning by Mr. Leffel, Mr. Keith Pannell of Tinker Mountain Road then spoke during the public comment period. Mr. Pannell stated that since the roundabout at Exit 150 has been completed there has been an increase in the semi-truck traffic on this road. He noted that the trucks are trying to reach the Pilot Station on Route 11 but there is no signage at the I-81 southbound Exit 150B directing them to that facility.

He noted that the trucks have driven down Tinker Mountain Road and through their fence. He stated that there are "No U-turn" signs on Route 220 at the crossovers in this area but drivers do not pay attention to the signs.

Mr. Leffel thanked Mr. Pannell for his comments.

After discussion, on motion by Mr. Martin, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 18-08-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on July 24, 2018;

Approval of minutes of the continued meeting held on July 31, 2018;

Approval of minutes of the continued meeting held on August 7, 2018;

Approval of an amendment to the Board of Supervisors' bylaws to change the time of Closed Session from 12:45 PM to 12:30 PM;

Appointment of Drew Pearson as Deputy Zoning Administrator; and

Appointment of Drew Pearson as Subdivision Agent and Nicole Pendleton as Deputy Subdivision Agent.

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were two transfers and 10 pass through appropriations for the Board's consideration this month. He noted that the transfers were to allocate existing budget funds for an employee position that was transferred from General Services to Economic Development and to pay for the under-budgeting of the County's year 2 matching contribution to the Botetourt YMCA.

Mr. Zerrilla stated that the appropriations were for expenditure reimbursements, sponsorship funds, proceeds from the sale of an old Fire/EMS vehicle, funding for EDA-related invoices, and payment of an invoice for surveying work on the Greenfield preservation site.

Mr. Zerrilla also stated that he would like to request the reappropriation of FY 18 budget funds into the FY 19 budget for the purchase of an all-terrain vehicle for the Buchanan Fire and Rescue Department. He noted that \$14,447.60 in Virginia Department of Fire Program Fund monies was received in FY 18 and staff is requesting that these monies be reappropriated into the FY 19 budget so that this equipment can be purchased. Mr. Zerrilla stated that the total cost of the ATV is estimated to be \$22,000 and other monies from the Buchanan Fire Department would be used to make up the cost difference.

After questioning by Mr. Martin, Mr. Zerrilla stated that he mistakenly had the year 2 YMCA contribution budgeted for year 3; therefore, the \$50,000 transfer from the Contingency account was needed to add to the \$150,000 originally budgeted in FY 19.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations and the following resolution to reappropriate FY 18 budget funds into the FY 19 budget for the purchase of an all-terrain vehicle for the Buchanan Fire and Rescue Department. (Resolution Number 18-08-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer budgeted funds of \$127,579 from General Services, 100-4040000-40000, to Economic Development, 100-4081500-81500. This item provides funding for a transferred employee position as well as associated Economic Development operating and support costs.

Transfer budgeted funds of \$50,000.00 from Contingency, 100-4091000-93000-0000-000, to CIP – YMCA Support, 100-4094000-81510-3800-804. This transfer provides coverage for a previous under-budgeting of the County's Year 2 matching contribution to the Botetourt Family YMCA project.

Additional appropriation in the amount of \$1,943.00 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 \$400.00 to Recreation and Facilities – Education and Recreation Supplies, 100-4071100-71100-6013. These are sponsorship funds for program-participant uniforms.

Additional appropriation in the amount of \$36,000.00 to Fire and EMS – Capital Outlay - Motor Vehicle/Vehicle Equipment, 100-4035500-35500-8005. These are funds received for the sale of a truck which will be applied towards the purchase a replacement truck.

Additional appropriation in the amount of \$3,750.00 to Transfer to EDA, 100-4091800-91800-3800. This appropriation provides funding for invoices to be paid by the EDA.

Additional appropriation in the amount of \$950.00 to Greenfield Preservation Fund, 240-5002020-00000-0000-000. This appropriation will cover a bill for surveying work.

Additional appropriation in the amount of \$3,639.84 to the following Correction and Detention accounts: \$3,483.87 to Medical & Lab Supplies, 100-4033100-33100-6004; and \$155.97 to Uniforms, 100-4033100-33100-6011. These are reimbursed funds pertaining to medical and contract costs.

Additional appropriation in the amount of \$2,902.42 to the following Sheriff's Department accounts: \$2,646.42 to Vehicle Supplies, 100-4031200-31200-6009; and \$256.00 to Uniforms, 100-4031200-31200-6011. These are reimbursed funds primarily relating to extradition and contract costs.

Additional appropriation in the amount of \$8,775.50 to the following Sheriff's Department accounts: \$6,968.12 to Subsistence and Lodging, 100-4031200-31200-5530; and \$1,807.38 to Crime Prevention, 100-4031200-31200-5850. These funds are related to extradition costs and reimbursement for transmitters.

Additional appropriation in the amount of \$3,140.03 to the following Sheriff's Department accounts: \$2,340.00 to Forest Patrol Salaries, 100-4031200-31200-1900; and \$800.03 to FICA, 100-4031200-31200-2100. These are reimbursed funds received for Forest Patrol overtime expenses and FICA expense.

Additional appropriation in the amount of \$7,762.99 to Sheriff's Department – Overtime, 100-4031200-31200-1200. These are funds received for police services provided for various functions and events.

NOW, THEREFORE, BE IT RESOLVED, that the following appropriation for Fiscal Year 2018-2019 is made to allow carry-over of approved funding begun in Fiscal Year 2017-2018:

<u>Destination Acct. #</u>	<u>Acct. Description</u>	<u>Aug 2018 Amt.</u>	<u>Explanation</u>
100-4035500-35530-8005-000	Buchanan Fire & Rescue-Capital Outlay-Motor Vehicle/Vehicle Equipment	\$14,447.60	ATV Funding
TOTAL	General Fund Operations	<u>\$14,447.60</u>	

Consideration was then held on approval of the accounts payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$1,769,508.28. He noted that this month's expenditures included \$500,000 for an economic development incentive payment to Eldor Corporation; \$78,847 to Bank of America for the second year payment of Microsoft software licenses; \$200,000 for the new YMCA facility, and \$88,161 to Carilion Roanoke Memorial Hospital for Jail inmate medical expenses.

There being no discussion, on motion by Mr. Martin, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the accounts payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 18-08-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Larrowe then stated that Mr. Zerrilla's efforts in putting together the County's financial report have resulting in the County's receipt of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Mr. Larrowe noted that he believes that this is the thirteenth year that Mr. Zerrilla has received this award.

Mr. Zerrilla stated that this award is shared with many County departments, the school system, and the Treasurer's staff. He noted that preparation of the audit is a team effort.

He further noted that the auditors will again be in the County in two weeks to work on the FY 18 audit.

Mr. Larrowe noted that Mr. Chris Morrill, former Roanoke City Manager, is now the Executive Director/CEO of the Government Finance Officers Association.

On behalf of the Board, Mr. Leffel congratulated Mr. Zerrilla for receipt of this award.

Mr. Ray Varney, Resident Engineer with the Virginia Department of Transportation, was then present to speak to the Board. Mr. Varney stated that VDoT representatives have met with the adjacent property owner at the Shiloh Drive/Route 43 intersection about the possibility of using some of his land to increase the sight distance at this intersection. He noted that they are conducting negotiations; however, the landowner has expressed no interest in giving any additional right-of-way for this project.

Mr. Varney stated that VDoT's guidelines recommend a sight distance of 605' at such intersections; however, they hope to increase the distance to approximately 400' with Mr. VanNess's cooperation.

Mr. Varney stated that he also drove along Loope Lane which is a narrow, gravel road that has drainage and erosion issues after heavy storms. Mr. Varney stated that VDoT will work to grade the roadway more frequently to help this situation.

Regarding Azalea Road in Daleville, Mr. Varney stated that VDoT is working with one of the neighborhood residents (Mrs. Cathie Ostermann) to have more of her neighbors involved in

the study on cut-through traffic using this residential street. He noted that a few of the property owners will be asked to write down the last four digits of the license plate numbers of vehicles coming from Route 220 on this roadway to access Catawba Road (Route 779). Mr. Varney noted that they hope to have this study conducted during the week of September 12.

Mr. Varney stated that, regarding Mr. Pannell's earlier comments regarding truck traffic turning onto Tinker Mountain Road while trying to find the Pilot Station on Route 11, VDoT does not want to be "advertisers" of specific businesses which is why directional signage is not placed at the I-81 southbound, Exit 150B off-ramp. He further stated; however, that VDoT staff will be asked to investigate this problem and offer solutions.

Mr. Varney noted that a large part of the construction work at Exit 150 is completed and VDoT is still working on operational issues at the Route 11/220 intersection pertaining to the "No right turn on red" restrictions for drivers on 220 southbound turning right onto Route 11 southbound. He noted that they have also talked to the Sheriff's Department about this situation and are working to resolve these issues.

Mr. Varney stated that the safety improvements on Route 220 north of Eagle Rock are continuing. He noted that the contractor's schedule of work is from 7AM to 6PM which impacts commuter traffic.

Regarding the bridge replacement on Route 779 west of Daleville, Mr. Varney noted that Mr. Clinton had previously had questions as to whether this project would result in tractor trailers using Blacksburg Road (Route 630) to avoid the construction zone. He stated that Route 779 has been reduced to one 11' wide lane for this project and large trucks are probably considering alternate routes to avoid this area. Mr. Varney stated that the project should be completed in September, weather permitting.

Mr. Varney further stated that the two Tinker Creek bridge replacement projects on Route 11 in Cloverdale are proceeding with work expected to be completed in November 2019. He noted that the painting work on the I-81 bridge across the James River in Buchanan has not yet begun. Mr. Varney further noted that the replacement of the Route 11 bridge over Beckner Branch south of Buchanan should be completed soon.

Mr. Varney then stated that there are several paving projects either ongoing or soon to begin in the County. He noted that the asphalt paving of Archway Road, Stoney Battery Road, Brugh's Mill, International Parkway, etc., is on hold until the paving work on I-81 is complete.

After discussion, Mr. Varney noted that there are several land development projects and land use permits under VDoT review including the access into the new Member One Credit Union facility in Daleville Town Center. He noted that the consultant is preparing recommendations on the Route 220 traffic engineering study and a public meeting is being proposed for later this year.

Mr. Varney also noted that the pedestrian (swinging) bridge on Route 678 (Three Oaks Road) across Craig Creek along the Botetourt/Craig County line has been closed for several months after a tree fell on the structure. He noted that VDoT has determined that the bridge is structurally deficient and not worth the cost of replacement; therefore, the structure has been scheduled for removal. He noted that very few people use this structure.

After questioning by Mr. Leffel, Mr. Varney stated that the bridge provided pedestrian access between farmland on both sides of Craig Creek.

Mr. Martin then stated that he has received concerns from the Chief of the Blue Ridge Volunteer Fire Department regarding access of fire/rescue equipment to the new Colonial Elementary School site. Mr. Martin stated that the intersection of U. S. Route 460 and Laymantown

Road (Route 659) does not have a deceleration lane on Route 460 westbound and due to the topography of the area, he is not sure that there is room for a decel lane to be installed.

Mr. Martin stated that he does not think that the bridge is wide enough for use by buses coming in opposite directions at the same time and the bridge also needs to be leveled to remove the dip in the bridge's floor. Mr. Martin also noted that the "yielding green" stoplight signal for vehicles turning at this intersection should probably be removed for traffic safety purposes. Mr. Martin asked that VDoT review this situation to see if any improvements can be made.

Mr. Sloan then stated that he has received comments about the potential for reducing the speed limit on Route 220 between Greenfield and Daleville to 45 mph.

Mr. Varney stated that VDoT has conducted several speed studies on Route 220 over the years, with the last one being completed in 2017. He noted that there is no vehicle crash evidence that supports a reduction in the speed limit at this time.

After questioning by Dr. Scothorn, Mr. Varney stated that, as part of the contractor's finishing work on the Route 11/Tinker Creek bridge projects, the roadway in this area will be paved so that the bumps in the roadway are smoothed out. After questioning by Mr. Varney, Dr. Scothorn stated that he would like the bumps repaired as soon as possible.

Reconsideration was then held on a revised resolution of support for the 2018 SmartScale application projects. Mr. Cody Sexton, Assistant to the County Administrator, stated that, upon receipt of clarification from VDoT, a revised resolution of support for the 2018 SmartScale applications has been drafted to include both the Route 220 Superstreet improvements and the Route 220 Superstreet improvements combined with improvements to Route 640 (Brugh's Mill Road), as well as improvements to the Route 220/International Parkway intersection, and the alignment of Glebe Road with bike/pedestrian improvements.

Mr. Sexton stated that the Board originally adopted a resolution on these funding applications at their July 24 meeting which did not include the Route 640 improvement project; however, since that time VDoT has clarified their application guidelines, and staff is now requesting that the Board consider a revised resolution which includes improvements to Route 640 as part of the Route 220 improvements.

Mr. Sexton stated that the County's SmartScale applications were submitted before the August 8 deadline; however, the deadline for submittal of a final resolution is September 1. He noted that these projects will not move forward without a resolution of support being approved by the Board today.

Mr. Leffel stated that he is concerned about the "evolution" of the Route 640 project application. He noted that this project was presented to the Board in July by VDoT for consideration of an application for funding with a "focal point" of specific improvements on Route 220 and, then in early August, it was suggested that a combined application for Route 640 improvements and Route 220 Superstreet improvements be submitted as well.

Mr. Sexton stated that the revised resolution includes all four projects (Route 220/International Parkway intersection improvements, Glebe Road alignment and bike/pedestrian improvements, Route 220 Superstreet improvements; and Route 220 Superstreet and Route 640 improvements).

Mr. Leffel questioned, with the reconsideration of this revised resolution, if the County stands a better chance of the Route 220 project being funded if the application is combined with improvements on Route 640.

Mr. Ray Varney, VDoT's Resident Engineer, stated that this is a difficult question to answer because he is unsure of how the scoring staff would rank the Route 220 application by itself compared to the combined Route 220/640 application. Mr. Varney stated that he would imagine that the application would receive a better score without the Route 640 improvements being included.

Mr. Sexton noted that, during the application pre-screening process, the Route 640 portion did not meet the criteria to be screened in on its own; however, the Route 220 improvements application was able to "stand on its own."

After questioning by Mr. Martin as to which of the two projects stand the best chance of being funded, Mr. Sexton stated that it is a "numbers game" as "projects go in and scores come out." He further stated that the final scores are directly proportional to the project's cost. Mr. Sexton noted that the Route 220 Superstreet improvements are estimated to cost \$6.3 million and the combined 220/640 project is estimated to cost approximately \$19 million.

Mr. Martin stated that he understands that VDoT wants better access from I-81 to Route 220 which is why the Route 640 project was included; however, he has heard from some residents and they are not happy with this application proposal. He noted that the citizens feel that these improvements would increase truck traffic and cause safety issues on Route 640.

After further questioning by Mr. Martin, Mr. Sexton stated that, if a large project adds benefit, it could be scored better; however, County staff does not know if the 640 project will add enough benefit to the combined application to overcome its increased costs. Mr. Sexton stated that funding applications receive additional points if the project is a benefit to economic development and noted that this benefit occurs on the Route 220 portion of the application, not from the Route 640 portion.

After questioning by Mr. Clinton, Mr. Sexton stated that there are six factors used by VDoT in scoring these applications including cost and whether the project is in the best interests of the locality and region. Mr. Sexton stated that it is hard for him to imagine the 2 projects competing against each other for funding.

After questioning by Mr. Martin as to whether it is the intent of adding 640 to this application to expand the amount of truck traffic accessing Route 220 instead of using Exit 150 and 220 northbound, Mr. Varney stated that the proposed safety improvements are located on only a portion of Route 640. He noted that it would be difficult otherwise to have these 640 improvements made and this application is an opportunity for the County to have the sharp curves and intersections improved on this roadway.

After further questioning by Mr. Martin, Mr. Varney stated that he believes that these improvements would make Route 640 safer.

Mr. Sexton stated that he and the County Administrator's Office have received e-mails and telephone calls regarding the Route 640 improvements, most of which were in opposition to this application.

Mr. Leffel then questioned if there were any citizens present who would like to speak on the proposed SmartScale applications.

Ms. Terri Brockley of Catawba Road then stated that she is in favor of a bike or walking trail on Glebe Road so people can access Daleville Town Center. She noted that this trail/pedestrian access will make the community more active.

Mrs. Jean Craft of Brugh's Mill Road stated that her family owns farmland along this roadway. She noted that the road is unsafe and tractor trailers frequently use this narrow, curving roadway for access between Route 220 and I-81. She noted that new speed limit signs

were installed 3 – 4 weeks ago but they are not obeyed and questioned how many traffic tickets have been issued since the signs were installed. Mrs. Craft also stated that a vehicle drove off of the roadway and into one of their hayfields earlier today.

Mrs. Craft stated that Route 640 continues to be very unsafe, the pavement is in terrible condition, and the road is narrow. Mrs. Craft stated that they have to travel on the roadway with their farm equipment and there is not room to pass if they meet a tractor trailer. She noted that they need road access for their farm equipment.

After discussion, Mrs. Craft questioned why Ammen Road is being considered as a part of the Route 640 reconstruction application. She estimated that no more than 10 vehicles a day use Ammen Road. Mrs. Craft stated that, if the road is improved, it will destroy one of their hayfields and it is hard enough to make a living through farming without taking away some of their farmland.

Mrs. Craft stated that the bad curve in front of her farmhouse does need to be fixed as vehicles drive too fast through this curve and many have run off of the road. Mrs. Craft further stated that the proposed design of these improvements will make it worse for their farm's livelihood.

After questioning by Mr. Martin, Mrs. Craft stated that she lives at 2162 Brugh's Mill Road.

Mrs. Craft stated that, if Ammen Road is improved as proposed, it will take the upper part of their hayfield.

After questioning by Mr. Clinton, Mr. Varney stated that it is difficult to change the scope of a project submitted for improvement under the SmartScale program.

After questioning by Dr. Scothorn, Mr. Varney stated that typically the scope of a project that is presented during the SmartScale application process is what is expected to be constructed once funding is approved. Mr. Varney stated that he "cannot comfortably answer this question."

Dr. Scothorn stated that everyone knows that Route 640 is very dangerous and that drivers do not obey the road's speed limit. Dr. Scothorn stated that he does not know if the County can stop large trucks from using this roadway. He noted that improvements are needed but it concerns him that no citizen input on possible alterations to the original design proposal was obtained and this aspect concerns him on how he should vote on this resolution of support.

Mr. Sexton stated that making VDoT aware of these questions early in the application process is critical.

Mr. Leffel stated that the main problem is truck traffic on this roadway and the Board knows that tractor trailers should not be allowed on Route 640. He suggested that reducing the weight limit on the Route 640 bridge located near Route 220 would keep trucks from using this road. Mr. Leffel stated that he was told that it was "either all or nothing" on the Route 220/640 improvements application. He further stated that it would be at least 2027 before the improvements on Route 640 would begin.

Mr. Leffel stated that the County has a September 1 deadline for submittal of this revised resolution of support. He further stated that the Board has been discussing this item for three months and this is the third version of this resolution that has been considered.

Mr. Martin then questioned, if the Board approves this resolution, could VDoT lower the weight limit on the Route 640 bridge to keep large trucks from using this roadway. Mr. Varney stated that VDoT does not authorize a specific weight limit on a bridge unless their inspections warrant such a change.

Mr. Sloan then stated that this funding application is a “what if” situation.

Mr. Varney stated that, if all four of the County’s projects move forward in the application process and the Route 220/640 project is authorized, then the Route 220 superstreet improvements “on its own” would not proceed. Mr. Varney noted that he does not know if the Commonwealth Transportation Board (CTB) would approve both projects. He further noted that it would be difficult for funding to be obtained to make the safety improvements on Route 640 as a stand-alone project.

Mr. Sexton stated that the two project options were included in the resolution of support to provide flexibility in the scoring process. He noted that the County has been advised that there is nothing wrong with applying for funding for both projects and it would be an “either or, not all” likelihood.

After questioning by Mr. Clinton, Mr. Varney stated that improvements to the entire length of Route 640 from Route 11 to 220 are not included in the funding application; only portions of the roadway are proposed for safety improvements. Mr. Varney further stated that, if those sections are not improved as part of the SmartScale application, he is concerned that Route 640 safety improvements “on their own” would be difficult to fund.

Mr. Sexton agreed and stated that the Route 640 improvements do not currently meet a need on their own based on the current application requirements.

After questioning by Mr. Sloan, Mrs. Craft stated that she would like Route 640 widened in some sections as well as having the roadway paved which she understands is scheduled for paving later this year.

Mr. Roger Noell stated that this funding proposal is only to improve one end of Route 640 and he does not like that “it is set in concrete” as to what improvements are to be funded.

Mr. Leffel stated that “it is all or nothing” with this application.

After questioning by Mr. Leffel, Mr. Sexton provided an example of how cost affects scoring. He stated that if the application scoring formula gives two benefit points for a \$10 million project and the project’s cost is doubled, then it is allocated a score of only one point, and, if that cost were halved, then the project would receive four points. He further stated that the County does not know if including the Route 640 project will provide enough benefit to the project to overcome the higher cost.

Mr. Leffel stated that the Board’s decision has to be made on the information currently available. Mr. Leffel stated that he thinks it is too much of a gamble and he would “go with the best odds” and recommend that only the Route 220 Superstreet project be included in the resolution of support for SmartScale funding.

Dr. Scothorn then questioned if there are safety issues that pose a benefit to the application process that the Board is unaware of. He stated that Route 640 does need to be improved.

Mr. Clinton stated that he is nervous about this application. He noted that “it is a numbers game.” He noted that “VDoT’s job is to move traffic and not restrict roads.” Mr. Clinton stated that the County needs to do whatever it can to ensure that the road is safe which, to him, means to fix the road. Mr. Clinton stated that he thinks that “we are a long way from the final configuration” of the Route 640 improvements and he would go “with all or nothing” in the funding application.

Mr. Leffel stated that he is not opposed to the safety improvements and agrees that Route 640 needs to be improved.

Mr. Sloan stated that “this is just a resolution” which states that these projects are what the Board has agreed to submit funding applications for.

Mr. Varney stated that he does not see the “downside” of moving forward with both the 220 Superstreet funding application and the combined 220 Superstreet and Route 640 improvements application.

Mr. Sloan stated that this resolution/application is a guess that might or might not happen and the Board needs to make a decision on how to proceed.

Mr. Sexton stated that the CTB “will take the resolution of support very seriously” in their consideration of this funding application.

Mr. Varney stated that he is aware that the Board and citizens are concerned about the scope of the Route 640 improvements and there can be small changes made to the project’s scope if it is funded.

Mr. Martin stated that, whether the road is improved or not, there will still be large trucks using this road. Mr. Martin stated that he would not like to lose \$13 million in funding to improve Route 640. He further stated that the Board can discuss this combined project’s scope directly with the CTB members.

There being no further discussion, on motion by Mr. Sloan, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the following resolution of support, which repeals and replaces Resolution Number 18-07-10 adopted by the Board of Supervisors on July 24, 2018, for the 2018 SmartScale project applications.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 18-08-10

WHEREAS, the Botetourt County Board of Supervisors is committed to advocating for and ensuring the long-term provision of superior transportation infrastructure both in the County and the region; and,

WHEREAS, the Board supports and is actively involved in regional transportation planning through memberships in the Roanoke Valley-Alleghany Regional Commission (RVARC) and the Roanoke Valley Transportation Planning Organization (RVTPPO); and,

WHEREAS, the Virginia Commonwealth Transportation Board’s application guidelines allow localities and regional entities, such as RVARC and RVTPPO, to apply for funding through the SmartScale process; and,

WHEREAS, staff from Botetourt County, RVARC, RVTPPO, and VDoT have identified six transportation projects in the County that would provide the greatest benefit to the citizens of and visitors to the County and the region and could possibly compete well in the 2018 SmartScale process; and,

WHEREAS, staff from RVARC, RVTPPO, and VDoT have also identified other transportation projects throughout the region that will provide extensive indirect benefits to Botetourt County;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors fully endorses and supports an application by County staff for the Route 220 at International Parkway Intersection Improvement, Glebe Road Alignment and Bike/Pedestrian Improvement, Route 220 Superstreet, and Route 220 Superstreet and Route 640 (Brugh’s Mill) Improvement projects; and,

BE IT FURTHER RESOLVED, that the Botetourt County Board of Supervisors fully endorses and supports applications by the Roanoke Valley-Alleghany Regional Commission staff for the following transportation project: I-81 Northbound Safety Improvements at MM167.4-169.5; and,

BE IT FURTHER RESOLVED, that the Botetourt County Board of Supervisors fully endorses and supports applications by the Roanoke Valley Transportation Planning Organization staff for the following transportation project: I-81 Southbound Improvements from Exit 150 to Weigh Station; and,

BE IT FURTHER RESOLVED, that this resolution repeals and replaces Resolution Number 18-07-10 adopted by the Botetourt County Board of Supervisors on July 24, 2018; and,

BE IT FINALLY RESOLVED, that the Botetourt County Board of Supervisors, in a spirit of regionalism and cooperation, fully endorses and supports other applications made by the staff of the RVARC and the RVTPO for transportation projects outside of Botetourt County which will benefit the region as a whole.

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:51 P. M.

A public hearing was then held on proposed amendments to Chapter 23 Taxation of the Botetourt County Code regarding revisions to the penalties charged on delinquent real estate and tangible personal property taxes. Mr. Bill Arney, County Treasurer, noted that the Code of Virginia puts a limit of 10% on the amount of late penalties assessed on County taxes.

Mr. Arney stated that each year there are taxpayers, who previously routinely paid their taxes on time, who are late in submitting their payments and assessing a 10% penalty for a tax payment that is received a few days late is burdensome. Mr. Arney noted that he contacted other localities to research what late penalty they charge and approximately 10 – 15, including Highland, Surry, Dickenson, York, and Russell counties, and the cities of Alexandria and Poquoson, have reduced that base penalty rate to either 2% or 5%.

Mr. Arney stated that he is requesting that the County's penalty for delinquent real estate/personal property taxes be set at 2% for payments received within 30 days of the tax due date and 10% for payments received after 30 days.

Mr. Martin stated that he thinks that this is a good idea that will have a positive impact on the entire County.

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

On motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the following amendments to Chapter 23 Taxation of the Botetourt County Code which revise the penalties charged on delinquent real estate and tangible personal property taxes. (Resolution Number 18-08-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

BOTETOURT COUNTY CODE

* * *

CHAPTER 23. TAXATION

ARTICLE I. IN GENERAL

Section 23-1 thru 23-1.1 (Same)

Section 23-2. Penalty and interest on delinquent real estate and tangible personal property taxes.

(a) Any person who shall fail to pay to the county treasurer his annual real estate taxes or tangible personal property taxes on or before November fifth of the year for which the same are assessed shall be assessed by the county treasurer and shall

pay, along with such tax, a penalty of two (2) percent if the taxes are paid within thirty (30) days, but if taxes are paid thereafter, the penalty shall be ten (10) percent of the total of such real estate or tangible personal property tax or ten dollars (\$10.00), whichever is greater.

(b) Any person who shall fail to pay to the county treasurer a supplemental assessment of real estate taxes or tangible personal property taxes on or before the fifth day following the due date of such tax bill, shall be assessed by the county treasurer and shall pay, along with such tax, a penalty of two (2) percent if the taxes are paid within thirty (30) days, but if taxes are paid thereafter, the penalty shall be ten (10) percent of the total of such real estate or tangible personal property tax or ten dollars (\$10.00), whichever is greater.

(c) In the event real estate taxes or tangible personal property taxes are not paid on or before the fifth day following the due date of such tax bill, interest at the highest rate permitted by section 58.1-3916 of the Code of Virginia, commencing on the first day of the month following the month in which a penalty is assessed, shall be assessed and collected on such unpaid taxes.

A public hearing was then held on proposed amendments to Article II. Approval of Water Supply Systems and Article IV. Sewers Generally of Chapter 24 Water, Sewers, and Sewage Disposal of the Botetourt County Code to remove language regarding connections in private water systems' service areas. Mr. Lockaby, County Attorney, stated that these amendments pertain to how the mandatory connection rules for private water and sewer systems are handled.

He noted that the County can require connection to a County-owned water/sewer system and the Western Virginia Water Authority (WVWA) can require connection to their County-located water/sewer systems with the concurrence of the County. Mr. Lockaby stated that the Board cannot require citizens to connect to a private water/sewer system. He noted that the County can also "lay out" service areas for private water/sewer systems as they relate to the Comprehensive Plan and stated that the Zoning Ordinance provisions, which allow greater development density for connections to central water/sewer systems, will remain in place.

After discussion, Mr. Lockaby stated that these amendments do not impact the State-certificated water/sewer services areas.

Mr. Lockaby stated that the County previously received some questions from citizens about these proposed amendments; however, they were satisfactorily answered.

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.

After questioning by Mr. Martin, Mr. Lockaby stated that these proposed amendments will not impact connections to existing private water/sewer systems; however, new developments would not be required to connect to private water/sewer systems but would continue to have very strong incentives to do so.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved the attached amendments to Chapter 24 Water, Sewers, and Sewage Disposal of the Botetourt County Code to remove language regarding connections in private water systems' service areas regulated by the State Corporation Commission (SCC). (Resolution Number 18-08-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a proposed second amendment to the Option and Lease Agreement with Blue Ridge Towers for the Blue Ridge Park cell tower. Mr. David Moorman, Deputy County Administrator, stated that the Board previously approved a lease agreement with Blue Ridge Towers, Inc., to construct and operate a 130' faux grain silo for telecommunications and Internet services by third-party providers in Blue Ridge Park.

Mr. Moorman stated that during testing it was determined that the soils in the lease area were unsuitable for construction. He noted that a second amendment to the Option and Lease Agreement has been drafted to allow relocation of the tower by approximately 150'. He further noted that no other changes are proposed to the original agreement in this second amendment.

After discussion, Mr. Moorman stated that Recreation and Community Development staff have reviewed the proposed new location and have no objections and the County Attorney has reviewed the second amendment's language.

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

On motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the Second Amendment to the Option and Lease Agreement with Blue Ridge Towers, Inc., to relocate the cell tower in Blue Ridge Park due to unsuitable soils at the originally-proposed location, and authorized the County Administrator to sign the agreement on the County's behalf. (Resolution Number 18-08-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on proposed Zoning Ordinance text amendments to the Traditional Neighborhood District (TND) to modify residential lot and building requirements, lighting standards, parking requirements, and use limitations. Mr. Drew Pearson, County Planner, stated that staff worked with Mr. Andy Kelderhouse with Fralin and Waldron, who requested that the Board consider amendments that would modify these requirements and regulations in Daleville Town Center to make them more functional in a real life environment.

He stated that these proposed amendments promote a sense of place through the development of a closely-linked and denser neighborhood of mixed uses which promotes pedestrian movement. Mr. Pearson further stated that allowing lighting illumination to project across property lines and onto non-residential and multi-family uses will provide even lighting levels for pedestrians throughout the TND.

He also noted that the proposed reductions in the required non-residential parking spaces and in the separation between adjoining parking lots will reduce parking lot sprawl and the amount of impervious surfaces in the development.

After discussion, Mr. Pearson noted that these proposed amendments would reduce parcel setbacks and parking lot setbacks from internal property lines, increase the maximum lot coverage for multi-family dwellings (proposed apartments), correct inconsistencies in the ordinance regarding maximum lot coverages, and amend the exception allowing illumination to project onto a non-residential use from another use within the TND to also include multi-family residential uses.

Mr. Pearson stated that the revisions to the lighting provisions would improve safety of pedestrians walking in the development at night.

Mr. Pearson then noted that Mr. Kelderhouse was present to answer any questions.

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

On motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the attached amendments to Chapter 25. Zoning, Article II, Division 9. Traditional Neighborhood District (TND) to modify residential lot and building requirements, lighting standards, parking requirements, and use limitations to promote TND principles, and create a more compact development, based on practical experience of the Daleville Town Center developer. (Resolution Number 18-08-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a resolution supporting VHDA financing for The Reserve at Daleville apartment complex. Mrs. Nicole Pendleton, Community Development Director, stated that the developers of the new 188 unit apartment complex (The Reserve at Daleville) located behind Kroger have requested a resolution in support of financing through a Virginia Housing and Development Authority's (VHDA) Workforce Housing Mixed-Income Loan.

She noted that the Supervisors approved the rezoning of this property in November 2017 to Residential R-4 along with a Special Exceptions Permit. She further noted that site plans for the proposed development have been reviewed by the Planning Office and grading work is on-going.

After discussion, Mrs. Pendleton stated that this is a "project-specific" resolution and is a requirement of the loan's approval. She noted that the property owner (Cathcart Group) and representatives from VHDA were present to answer any questions.

She stated that, as per the applicant's letter of request, this is a high-quality, Class A development which will provide mixed-income housing. She noted that the loan requires that 38 of the 188 units be leased to households making less than \$53,760, with the remaining units leased to households at any income level. Mrs. Pendleton stated that these parameters do not result in a "rate restriction" for these units.

After questioning by Mr. Clinton, Mrs. Pendleton stated that, based on the information she has received, a household making \$53,760 could afford a rent of at least \$1,000 per month.

After further questioning by Mr. Clinton on how the owners would handle vacancy and availability of the lower household income units, Mr. Dale Whittie with VHDA stated that their programs are used to create affordable units in areas that might not otherwise have those types of housing units available. He noted that the VHDA gives developers options for providing various types of housing units.

Mr. Whittie stated that the only requirement of this VHDA loan is that the 38 units are rented to households that earn no more than \$53,760. He noted that in most cases more than 20% of the units are actually occupied by households that do not earn more than \$53,760. Mr. Whittie stated that "this is a market-rate property."

After questioning by Mr. Clinton, Mr. Whittie stated that it is up to the development's owner to decide who to lease an apartment to based on their (the owner's) criteria--it is basically a credit decision.

There being no further discussion, on motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution supporting the Virginia Housing and Development Authority's (VHDA) financing of a proposed 188 dwelling unit, mixed-income, multi-family residential development project known as The Reserve at Daleville to be located adjacent to and on 557 Roanoke Road, Daleville, approximately 0.41 miles southwest of the Commons Parkway intersection with Roanoke Road (U.S. Route 220).

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 18-08-15

WHEREAS, the Board of Supervisors of the County of Botetourt, Virginia, desires to make the determination required by Section 36-55.30:2.B of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") known as the Reserve at Daleville and proposed to be located adjacent to and on 557 Roanoke Road, Daleville, approximately 0.41 miles southwest of Commons Parkway intersection with Roanoke Road (U. S. Route 220) in Botetourt County, Virginia; and,

WHEREAS, the proposed Project is more particularly described on Exhibit A attached hereto; and,

WHEREAS, the Board of Supervisors of the County of Botetourt believes that economically mixed communities are beneficial to the County and to the citizens of Botetourt,

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

- (1) the ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.
- (3) this resolution shall be in effect from and after the date of its adoption.

Consideration was then held on appropriation of funds for the purchase of a brush truck for the Glen Wilton Volunteer Fire and Rescue Department. Mr. Jason Ferguson, Battalion Chief with the Department of Fire and EMS, stated that this appropriation would assist with the process of funding the purchase of a brush truck by Glen Wilton.

He stated that last fall the Glen Wilton Volunteer Fire Department, along with the Fire/EMS leadership at that time, used Virginia Department of Fire Programs' (DFP) Aid-to-Localities funds to obtain a pickup truck chassis to be used as a brush truck. He noted that quotes have now been obtained to outfit the truck with a skid unit, flatbed, tool boxes, bumper and winch, lights/siren, and decals/stripping and they are requesting an appropriation in the amount of \$28,584 to fund these costs.

After questioning by Mr. Sloan, Chief Ferguson stated that the chassis was purchased with DFP funds and delivery of the chassis is expected shortly. After further questioning by Mr.

Sloan, Chief Ferguson stated that Glen Wilton currently has a brush truck but it has reached its maximum payload.

After questioning by Mr. Martin, Chief Ferguson stated that the chassis cost \$35,000.

On motion by Mr. Sloan, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved an additional appropriation in the amount of \$28,584 from the General Fund Unassigned Fund Balance to Fire and EMS-Capital Outlay-Motor Vehicle/Vehicle Equipment, 100-4035500-35500-8005-000, to complete the build-out of the new brush truck in Glen Wilton. (Resolution Number 18-08-16)

AYES: Mr. Sloan, Mr. Clinton, 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 2018 tax year. Mr. Tony Zerrilla, Director of Finance, stated that the Board is being requested to set the PPTRA rate for the current tax year. He noted that the County has received \$3.4 million in State block grant funds each year since 2005 to be used for car tax relief for vehicles valued from \$1,001 to \$20,000 and the Board had previously adopted the Specific Relief Method of distribution of these funds to the County taxpayers.

Mr. Zerrilla stated that he, the Commissioner of Revenue, and the County Treasurer reviewed data on the impact of used car values and the qualifying vehicle values base and are recommending that the tax relief rate for 2018 be set at 53%. He noted that the 2017 rate was 52%.

After discussion, Mr. Zerrilla stated that the portion of personal property taxes in 2018 that taxpayers' will be responsible for will be 47% compared to 48% in 2017. He requested that the resolution included in the Board's information packets be adopted.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Leffel, and carried by the following recorded vote, the Board adopted the following resolution which establishes the percentage reduction for personal property tax relief at 53% for Botetourt County for the 2018 tax year.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 18-08-17

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 53% tax relief for the 2018 tax year.

3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 53% tax relief for the 2018 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 staff recommendation of a firm to conduct a Fire/EMS Station Study. Battalion Chief Jason Ferguson, with the Department of Fire and EMS, stated that earlier this year the Supervisors authorized the advertisement of a request for proposals (RFP) for a Fire and EMS Station Study. He noted that the purpose of this study is to review all of the call response data to determine if there is a need for a new fire/EMS facility in the County, the best location for said facility if needed, review existing facilities' positioning in the County, and “what they look like today and in the future.”

He noted that five responses were received and reviewed by a team consisting of two representatives from the Department of Fire/EMS, one representative from the Troutville Volunteer Fire Department, and one representative from County Administration. Chief Ferguson stated that the top two ranked firms were interviewed and the team is recommending that the Board approve a contract with BIRCHbark Strategic Consulting, based in Albemarle County. He noted that the team feels that this firm has the best means to assist them in this fact-finding mission.

Chief Ferguson stated that the company also proposes to provide a modeling tool to the County that can be used as situations change in the Fire/EMS area.

After questioning by Dr. Scothorn, Chief Ferguson stated that the five proposals costs ranged from \$50,000 to \$70,000. He noted that the negotiated contract price with BIRCHbark was \$62,000, which will necessitate approval of an additional appropriation of \$27,000 to fully fund this study. It was noted that these funds are available from unexpended FY 18 budget monies.

Mr. Clinton stated that he has some misgivings about this proposal. He stated that this study was advertised as a request for proposals and not as a request for bids.

After questioning by Mr. Clinton, Chief Ferguson stated that the staff's “best guess” estimate for this study, which was developed during the FY 18 budget preparations in late 2016, was \$35,000; however he does not think that they grasped what the actual financial cost of the study would be at that time.

Mr. Clinton stated that he understands that BIRCHbark's initial cost estimate for this study was \$72,000; however, after staff negotiations, it was reduced to \$62,000.

After questioning, Chief Ferguson stated that pricing was included in the RFP's responses. He further noted that there was a clear divide in the pricing between BIRCHbark and the second-ranked firm. Chief Ferguson stated that the second-ranked firm “did not bring much to the plate” during their interview and the staff team did not think that they would have provided a quality result.

After questioning by Mr. Clinton, Chief Ferguson stated that the second-ranked firm's quote to conduct the study was in the low to mid \$50,000 range.

Mr. Clinton stated that he is concerned that the study's negotiated price was so far off of what the staff estimated that the cost would be.

Chief Ferguson stated that a staff conference call with BIRCHbark representatives was held to ensure that the company fully understood the scope of the project. He noted that some of the cost amendments were due to a reduction in the number of community stakeholder input meetings. Chief Ferguson stated that the company originally proposed that 5 – 6 of these meetings be scheduled; however, the staff team agreed that this many meetings would not be necessary.

After discussion by Mr. Clinton, Chief Ferguson stated that the second-ranked firm mentioned that their previous clients had requested additional work after the original contract period had expired which then increased the study's total cost.

Mr. Tony Zerrilla, Director of Finance, stated that the \$35,000 budgeted 18 months ago for this study was a preliminary estimate and did not include details on the scope of work for this project; however, staff knew that the project needed to move forward.

After questioning by Mr. Martin, Chief Ferguson stated that the staff team did not talk to any of the firm's previous clients.

There being no further discussion, on motion by Mr. Martin, seconded by Mr. Sloan, and carried by the following recorded vote, the Board authorized the County Administrator to award the fire station study contract to BIRCHbark Strategic Consulting and sign all associated documents, after review of the contract by the County Attorney; and adopted the following resolution to reappropriate funds from the FY 18 budget into the FY 19 budget to fund this study: (Resolution Number 18-08-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

NOW, THEREFORE, BE IT RESOLVED, that the following appropriation for Fiscal Year 2018-2019 is made to allow carry-over of approved funding begun in Fiscal Year 2017-2018:

<u>Destination Acct. #</u>	<u>Acct. Description</u>	<u>Aug 2018 Amt.</u>	<u>Explanation</u>
100-4094000-35500-8012-315	Capital Outlay-Public Safety- Other Capital-Fire & EMS Station Study	\$62,000	Fire/EMS Study
TOTAL	General Fund Operations	<u>\$62,000</u>	

Consideration was then held on approval of a contract with County Waste of Southwest Virginia to provide solid waste disposal services. Mr. Larrowe stated that these discussions have been occurring through the provisions of the Public-Private Education Facilities and Infrastructure Act (PPEA) since early in 2018. He noted that, as requested at the July regular meeting, the Board has been provided with background information and cost/budget savings calculations that would result from acceptance of this proposal.

He noted that the County Attorney has been working with County Waste's legal counsel during the past several weeks to draft the contract.

Mr. Lockaby then stated that there are two provisions that are still under negotiation with County Waste: the disposal fee that is included in the hosting and management agreements, and liability provisions.

He noted that this is a 20 year agreement with two 10 year renewal options which includes two subparts. He noted that the first subpart is a management agreement which details the landfill's operation over the next 2 years and the second subpart consists of a host siting agreement that governs County Waste's proposed transfer station in Cloverdale and the County's royalty payments from its use.

Mr. Lockaby stated that the management agreement contains requirements for the landfill's operations for the next two years, including provisions for capping and closure of the cells at no cost to the County, with a requirement of a one year warranty on this work. He noted that closure of the landfill's remaining cells is estimated to cost approximately \$4 million. Mr. Lockaby further stated that this agreement also "locks in" a solid waste disposal fee that is lower than the Roanoke Valley Resource Authority (RVRA) rate. Mr. Lockaby stated that the per-ton rate will be different than the current landfill tipping rate; however, the residential/curbside collection rates would remain the same.

Mr. Lockaby stated that the host siting agreement pertains to County's Waste's new transfer station in Cloverdale from which the County will receive a convenience fee for every ton of trash that enters the facility. He noted that the base fee is \$55/ton plus a \$10 fee to cross the weighing scales. Mr. Lockaby stated that this fee would have to be set through a public hearing and adoption of an ordinance by the Board of Supervisors.

Mr. Lockaby stated that it is estimated that, over the course of the next 20 – 40 years, this contract's provisions will save the County approximately \$11 million.

After questioning by Mr. Clinton, Mr. Lockaby stated that this contract will save the County approximately \$11 million compared to the trash disposal rates charged by the RVRA.

Dr. Scothorn stated that this figure is in "today's dollars."

Mr. Lockaby stated that some County Code amendments will be necessary as a result of this contract's provisions and they will be brought back for public hearing by the Board in the next few months.

After discussion, it was noted that the County's franchised trash collectors currently haul trash to the Salem/RVRA transfer station, but once the landfill's disposal cells are reopened, they will be able to haul the trash to the County's landfill until County Waste's new transfer station is approved and constructed. It was noted that County Waste will be improving some of the landfill's access roads to again facilitate acceptance of trash at this site.

Mr. Leffel stated that he has been involved in these discussions for several months and noted that the County Administrator has worked extremely hard on these negotiations.

Mr. Leffel noted that the County was out of options for trash disposal services and would have had to spend approximately \$5 million to close the landfill. He noted that there was also a question of where the County's trash would be disposed in the future. Mr. Leffel stated that he thinks we have a "win/win" with this agreement with County Waste.

Mr. Martin stated that he agreed with Mr. Leffel's comments.

Dr. Scothorn then made a motion, seconded by Mr. Leffel, to approve the contract, as drafted by the County Attorney, with County Waste of Southwest Virginia, LLC, for solid waste disposal services and authorized the County Administrator to sign the contract on the County's behalf.

Mr. Clinton stated that he thinks that this is an incredible deal but has some questions about the host siting agreement. He questioned from where will the anticipated \$179,000 in new revenues per year come and will other localities use the County's facility.

Mr. Larrowe stated that the \$179,000 in new revenues will be generated through a host siting fee charged at County Waste's proposed transfer station in Cloverdale. He stated that County Waste would sell their services to bring in trash to the transfer station and the County would receive \$1.50/ton for each ton brought through the facility from other businesses/localities. Mr. Larrowe noted that County Waste hopes to bring in approximately 500 tons per day, including 40 tons of trash from Botetourt County. He further noted that DEQ requires that this tonnage be tracked.

Mr. Larrowe stated that the host siting fees would be paid to the County by County Waste as part of their transfer station operational costs.

After questioning by Mr. Clinton, Mr. Larrowe stated that the out-of-County trash accepted at the proposed transfer station would be through privately-negotiated contracts solicited by County Waste from other localities/entities. Mr. Larrowe stated at the contract includes provisions that no hazardous waste, medical waste, or sludge would be accepted at the transfer station.

Mr. Clinton stated that he is not sure that the transfer station tonnage would result in the County receiving \$179,000 in revenues each year.

There being no further discussion, Dr. Scothorn's motion was voted on as follows: (Resolution Number 18-08-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on proposed amendments to Chapter 25 Zoning of the Botetourt County Code to establish a use category for the Greenfield Historical Preservation Area. Mrs. Nicole Pendleton, Community Development Director, stated that, in October 2017, the Greenfield Preservation Advisory Commission presented a conceptual master plan for the proposed Greenfield Preservation Area. She noted that this plan includes historical background of the area, an inventory of historic resources, and a discussion about the area's relationship to the industrial park.

Mrs. Pendleton stated that the Botetourt Center at Greenfield is zoned for Research and Advanced Manufacturing (RAM), except for the Education and Training Center parcel. She noted that the Zoning Ordinance does not contain use provisions related to historic or cultural landscapes and staff would like to work with the Advisory Commission to draft these proposed text amendments. Mrs. Pendleton further noted that these amendments would formally designate and permit potential uses on the site as well as additional recreational, e.g., greenways, and cultural uses in this area.

Mr. Clinton stated that this request came about from his discussions with Mrs. Pendleton, Mr. Larrowe, and Mr. Moorman as currently there are no Zoning Ordinance provisions to allow an historical/cultural use within the RAM zoning district.

There being no further discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Board directed staff to work with the Greenfield Historic Preservation Committee on proposed amendments to the Zoning Ordinance related to historic preservation areas and greenways, and directed staff to advertise for a public hearing at

a future Planning Commission meeting, and with Planning Commission action, a future Board of Supervisors' regular meeting. (Resolution Number 18-08-20)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on the advertisement of a public hearing on proposed Zoning Ordinance text amendments to allow duplexes in the Agricultural A-1 Use District. Mrs. Nicole Pendleton, Community Development Director, stated that the Zoning Ordinance currently does not contain provisions in the A-1 district regarding rental of a separate unit attached to someone's home for long-term rental opportunities.

She noted that the Planning Office received a request from Nina and Isaac Rushing of Fincastle to be allowed to rent a part of their home which is a designated, separated living space to a non-relative. Mrs. Pendleton stated that the current Zoning Ordinance definition of this use is a duplex which is not permitted in the A-1 district.

After discussion, Mrs. Pendleton stated that there are a lot of unanswered questions regarding this text amendment proposal, including density, well and septic regulations, and use definitions and staff will need to work with the Health Department and the Building Official to ensure alignment with those departments' regulations.

Mrs. Pendleton further noted that staff is currently working with Renaissance Planning on a housing study project to determine regulatory approaches to increase housing opportunities and diversify the County's housing stock. She requested that staff be allowed to continue to work with the Rushings with no set timeline to allow the housing study's results, which are expected at year end, to provide feedback on this proposal.

There being no discussion, on motion by Mr. Leffel, seconded by Mr. Martin, and carried by the following recorded vote, the Board directed staff to advertise for a public hearing at a future Planning Commission meeting, and with Planning Commission action, a future Board of Supervisors' regular meeting, on proposed amendments to the Zoning Ordinance to establish and/or revise definitions and use categories to allow for long-term housing rental opportunities. (Resolution Number 18-08-21)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Leffel, seconded by Mr. Sloan, and carried by the following recorded vote, the Board appointed Mr. Jack Leffel as the Board of Supervisors representative, and Mr. Gary Larowe, as the alternate, to serve as the County's representatives on the Chief Local Elected Official Consortium for a term to expire on December 31, 2019. (Resolution Number 18-08-22)

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

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the meeting was adjourned at 4:50 P. M., until 6:00 P. M.

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

A public hearing was then held on a request in the Buchanan Magisterial District from RYT, LLC, c/o Robert L. Young, to rezone a total of 0.885 acres on two 1.0-acre lots from the Industrial M-2 Use District to the Business B-3 Use District, with possible proffered conditions, in accordance with Chapter 25 Zoning, Article II. – District Regulations, Division 12. Business District (B-3) of the Botetourt County Code to construct a new building for the existing towing operation at 14760 Lee Highway (U.S. Route 11) Buchanan, located at the northeast corner of the Lee Highway/Hardbarger Road (Route 636) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcels 117 and 117A.

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

Mrs. Nicole Pendleton, Community Development Director, stated that Mr. Young's property is currently split-zoned into Industrial M-2 and Business B-3 use districts which has caused long-running County regulatory issues. She noted that Mr. Young would like to expand the building that houses his towing operation and, in order to obtain the necessary building permit, the property's zoning must be in compliance with the current use.

Mrs. Pendleton stated that any development on the property would still require approval of a site plan, grading plan, flood study, etc. She noted that, if the rezoning request is approved, the entire 2 acres would be regulated by the same zoning requirements.

She noted that Mr. Young was present to answer any questions.

After questioning by Mr. Sloan, Mrs. Pendleton stated that, if approved, both parcels containing Mr. Young's towing business would be zoned as a B-3 use.

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

There being no further discussion, on motion by Mr. Sloan, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request as submitted. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other: (Resolution Number 18-08-23)

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

NAYS: None

ABSENT: None

ABSTAINING: None

RYT, LLC
c/o Robert L. Young

In the Buchanan Magisterial District to rezone a total of 0.885 acres on two 1.0-acre lots from the Industrial M-2 Use District to the Business B-3 Use District in accordance with Chapter 25 Zoning, Article II. – District Regulations, Division 12. Business District (B-3) of the Botetourt County Code to construct a new building for the existing towing operation at 14760 Lee Highway (U.S. Route 11) Buchanan, located at the northeast corner of the Lee Highway/Hardbarger Road (Route 636) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcels 117 and 117A.

Dr. Scothorn then stated that, due to a potential business-related conflict, he would have to recuse himself from participating in discussions on the Baileywick Holdings, LLC, public hearings.

A public hearing was then held on proposed amendments to the Comprehensive Plan's Future Land Use Map regarding a proposed mixed use Commercial (B-2) (10.96 acres) and Residential (R-3 and R-4) (22.61 acres) development by Baileywick Holdings, LLC., identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B.

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

A public hearing was also held on a request in the Amsterdam District from Hal T. and Cynthia T. Bailey and Baileywick Holdings, LLC, c/o Mike Bailey (Fieldstone Place, LLC, developer), for the following for commercial and residential development to include single family detached dwelling units, single family attached dwelling units and multifamily dwelling units: a Commission Permit in accord with §15.2-2232 of the Code of Virginia for the construction of new roads; a rezoning, with possible proffered conditions, of 10.96 acres to the Business B-2 Use District in accordance with Chapter 25 Zoning, Article II, Division 11 of the Botetourt County Code; a rezoning, with possible proffered conditions, of 46.75 acres to the Residential R-3 Use District in accordance with Chapter 25 Zoning, Article II., Division 6; a rezoning, with possible proffered conditions, of 22.61 acres to the Residential R-4 Use District in accordance with Chapter 25 Zoning, Article II, Division 7; and a Special Exception Permit, with possible conditions, to allow for a maximum density of up to 15 dwelling units per acre in accordance with Chapter 25 Zoning, Article II, Division 1, Section 25-169. Uses permissible by special exception. The properties subject to these requests are two parcels totaling 80.32 acres in the Agricultural A-1 Use District located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville and are located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B.

It was noted that the Planning Commission had recommended approval of the Commission Permit and recommended approval of the rezoning requests with proffered conditions submitted by the applicant and conditional approval of the SEP request.

Mr. Drew Pearson, County Planner, stated that there are six different public hearing requests for the Board's consideration—Comprehensive Plan amendment, Commission Permit, rezoning from A-1 to B-2, rezoning from A-1 to R-3, rezoning from A-1 to R-4, and a Special Exceptions Permit.

Mr. Pearson stated that Mr. and Mrs. Hal Bailey own 80 acres on Route 220 in Daleville across from Ikenberry Orchards. He noted that the property currently consists of 1 single family dwelling, pasture, and woodlands. He noted that the first item to be considered by the Board is approval of an amendment to the Comprehensive Plan to allow high-density residential and commercial future land use areas on these two parcels (Section 88, Parcels 36 and 36B). Mr. Pearson stated that this area is currently designated for medium-density residential uses even though it is zoned as an A-1 Use District.

Mr. Pearson stated that the applicants want to designate the front portion of the property (10.96 acres) as commercial and 22.61 acres of the remaining property as a high-density Residential R-4 Use. He noted that, if the Comp Plan amendment is approved, the rezoning request would then be consistent with the Comp Plan.

Mr. Pearson stated that the access road for this proposed development would connect to U. S. Route 220, go through the commercial area, and then access the residential portions of the site. He noted that the road would be public and maintained by VDoT through the Secondary System of Highways.

After discussion, Mr. Pearson stated that 288 multi-family dwelling units are proposed in the R-4 area (22.61 acres), as well as 34 single family attached dwellings and 54 single family detached units in the R-3 area, for a total of 376 dwelling units.

Mr. Pearson noted that a traffic study was conducted and provided to VDoT for review. He noted that this study proposed two different concepts for the access road's intersection with U. S. Route 220 and the applicant has offered a proffered condition that a "continuous green-T" configuration would be constructed. He also noted that water and sewer service will be provided to this development by the Western Virginia Water Authority. Mr. Pearson further noted that the development is projected to generate 46 new school-age students and the School Board Office has said that this figure would not cause any negative impact on the area's school population.

Mr. Pearson stated that the development is estimated to generate 7,000 vehicle trips per day on Route 220 at full build-out. He noted that the continuous green-T intersection proposal would allow for left-hand movement from the development onto Route 220 as it includes an acceleration lane that allows vehicles to merge into the southbound traffic flow. Mr. Pearson then reviewed the design of this proposed intersection in a PowerPoint presentation.

Mr. Pearson stated that the Board's consideration of these proposals should be in the following order: Comp Plan amendments, Commission Permit, rezoning from A-1 to B-2, rezoning from A-1 to R-3, rezoning from A-1 to R-4, and the Special Exceptions Permit.

Mr. Pearson then noted that the Laymans (adjacent property owners) had submitted a letter containing several suggestions for conditions on these requests. He noted that the applicants reviewed the proposed conditions and have agreed to some of the proposals. Mr. Pearson stated that the Zoning Ordinance requires a 25' setback in the R-4 district; however, the applicants have proposed a minimum of a 100' setback along the southern border between the R-4 district and the Layman property, the installation of a black vinyl chain link fence, 2 rows of 6' tall Leyland cypress trees staggered every 10' will be planted and maintained. He noted that these conditions could be included with the SEP.

Mr. Pearson further reviewed the proposed conditions for this development. He stated that the new intersection will be constructed prior to the issuance of the first building permit. He further stated that most of the B-2 permitted uses will be allowed in this portion of the development, the street/parking light poles will be limited to 18' in height, the commercial buildings would be limited to 2 stories, and there are limits on the type of building materials used in the B-2 area. In the R-3 area, Mr. Pearson stated that the applicants have agreed to construct the development in substantial conformance with the concept plan, a minimum of 20 acres on the site will remain as open space, and there will be a limit of 34 attached homes and 54 detached residential units constructed on the property.

Mr. Pearson noted that the proffered conditions for the R-4 area state that the development will be in substantial conformance with the concept plan and there will be a density limit of 15 units per acre. He noted that the conditions for the SEP include that the project will be in substantial conformance with the concept plan and the Fieldstone Development Guidelines, including the style and colors of the exterior building walls, a density limit of 15 units per acre, and along the Layman property line, there will be a 100' building and parking setback, a black vinyl chain link fence will be installed, and two rows of 6' Leyland Cypress trees staggered every 10' will be planted and maintained.

After discussion, Mr. Pearson stated that at the Planning Commission meeting, there were concerns expressed about the impacts from this development on the property to the south

which resulted in three additional conditions being recommended by the Commission on the SEP request for increased density that would apply only to the area proposed for the R-4 rezoning: 100' setback from the Layman property, installation of a black vinyl chain link fence, and the installation of two rows of 6' Leyland Cypress trees.

Mr. Pearson noted that the developer is present to further discuss this proposal and answer any questions.

Mr. Robert Fralin of R. Fralin Companies stated that he attended the County's housing summit two years ago and became interested in development opportunities in this area. Mr. Fralin stated that his company has a home construction division, a multi-family apartment division, commercial rentals division, and a development division.

Mr. Fralin stated that he began discussions with the Baileys on development of this property over a year ago and noted that this proposal is a well thought out project that provides many housing options for the County as well as an additional commercial area. He noted that they also conducted a community meeting on the proposal to obtain input from area residents.

Mr. Fralin then introduced several company representatives who were present at the meeting: Mr. Brandon Sargeant, Director of Residential Construction; Ms. Megan Wright, Operations Manager; Mr. Thomas Fellers, Director of New Home Sales; Ms. Crystal Casey, Director of Operations for the Management Division; and Mr. Brian McCahill, Chief Operating Officer.

Mr. McCahill then conducted a PowerPoint presentation on this proposal. He stated that 376 residential dwelling units, along with commercial uses, are proposed on this property. He noted that this project is located on an 80 acre parcel, consists mostly of an apartment community, and a minimum of 20 acres of open space which includes a walking trail.

Mr. McCahill stated that the overall proposed density of this development is 5.5 units per acre and it will have VDoT maintained roadways. He noted that, in discussions with VDoT regarding access off of Route 220, they were given two options and believe that the green-T intersection is the better solution for traffic flow in and out of this development.

Mr. McCahill stated that concerns by the Laymans on buffering and stormwater management-related issues resulted in additional proffered conditions being provided by the applicants. He noted that the project will comply with the current stormwater regulations.

Mr. McCahill stated that the exterior of the 3 story apartment buildings will be designed in Craftsman-style with board and batten and shake siding in earth-tone colors, the apartments will have 9' ceilings, granite countertops, stainless steel appliances, and the complex will have pool, clubhouse, and fitness amenities.

After questioning by Mr. Sloan, Mr. McCahill stated that the proposed apartments will consist of one and two bedroom units.

After questioning by Mr. Martin, Mr. McCahill stated that the rent for a one bedroom unit will be approximately \$800 - \$850/month and a two bedroom unit would rent for approximately \$950 - \$1,000/month.

There being no further discussion, Mr. Leffel then opened the floor for public comment.

Mr. Douglas Helms of Etzler Road then questioned if there was only one way in and out of Botetourt County (Route 220). He stated that all of the recently announced development projects are located along Route 220 which will further increase the traffic congestion on this roadway. Mr. Helms stated that there are currently traffic backups in Daleville in the morning and afternoon rush hours and these new developments will make the congestion worse.

He presented pictures of traffic congestion at the Route 220/779 intersection to the Board. Mr. Helms stated that, if there is an accident on Route 220 between 779 and I-81, “there is no way out.”

Mr. Helms stated that 7,000 additional vehicles per day from this development, students entering and leaving Lord Botetourt High School, and older drivers will further cause congestion on this roadway. He further noted that the proposed entrance is located across from Ikenberry Orchards and he is concerned about the placement of the new green-T intersection. Mr. Helms stated that there will also be traffic increases on Route 220 from employees at Ballast Point and Eldor, and from citizens using the YMCA. He noted that all of this development will add 10,000 – 15,000 additional vehicles on Route 220 from 6AM to 6PM every weekday which is too many vehicles.

Mr. Helms stated that there are a lot of accidents on Route 220 and he has three handicapped children that have to make trips to the hospital from time to time and the congestion could cause delays in an emergency situation. He noted that the County is no longer largely agricultural. He noted that “if you want to look like northern Virginia, then this is a good start.” Mr. Helms stated that “we have a whole County to build in;” not just the area from Exit 150 to south of Fincastle.

Mr. Reid McMurry of McMurry Road stated that his property is on the northern side of the Baileys’ property and his family has lived in this area for at least 100 years. Mr. McMurry stated that when small-lot housing developments are placed next to a large rural property, the result is that the land is a playground. Mr. McMurry stated that this is the second time that he has faced the situation of development occurring adjacent to his property—the first was the Ashley Plantation golf course development.

Mr. McMurry stated that over 300 residential units is a high density of houses for this 80 acre parcel. Mr. McMurry further requested that the developers not disturb the existing boundary fencerows.

Ms. Mary Hoover of Springwood stated that there has been a lot of development in the County since she moved here in 1987. She stated that the Board has done a great job in keeping things well organized.

Ms. Hoover stated that she is concerned about the traffic density that this project will create. She noted that currently it takes her sister 45 minutes to 1½ hours to get home from her job at Carilion Hospital. She stated that Route 220 is dangerous and requested that the speed limit be reduced. Ms. Hoover also noted that a solution needs to be found for the traffic backups at Lord Botetourt when students/buses are entering/leaving the school grounds.

Ms. Hoover stated that maybe there is somewhere “a little further back” from this proposed site on which this project can be located. She stated that there is too much density in the too-concentrated Daleville area.

After questioning by Mr. Leffel, it was noted that there was no one else present to speak regarding these requests. The public hearings were then closed.

Mr. Clinton stated that the County is in “interesting times.” Mr. Clinton stated that citizens have said that they came to or grew up in Botetourt County because of its character and do not want it to change; however, things cannot stay the same.

Mr. Clinton stated that it is his hope that what happens to Route 220 from this point going forward will be done in a sensitive and inspired manner. He noted that development requires thoughtful zoning and dedicated developers who have the best interests of the community at heart while not going out of business.

Mr. Clinton stated that he agrees emotionally with Mr. Helms but practically, it is not going to happen. He noted that good development patterns try to keep things compact and the location of this project speaks to good community planning.

Mr. Clinton stated that he has some questions but, overall, he thinks the County is headed in the right direction with this development.

On motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the request to amend the Comprehensive Plan's Future Land Use Map regarding a proposed mixed use Commercial (B-2) (10.96 acres) and Residential (R-3 and R-4) (22.61 acres) development by Baileywick Holdings, LLC., identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B. (Resolution Number 18-08-24)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

On motion by Mr. Clinton, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved a request in the Amsterdam District from Hal T. and Cynthia T. Bailey and Baileywick Holdings, LLC, c/o Mike Bailey (Fieldstone Place, LLC, Developer), for a Commission Permit in accord with §15.2-2232 of the Code of Virginia for the construction of new roads on two parcels totaling 80.32 acres in the Agricultural A-1 Use District located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville and are located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B. (Resolution Number 18-08-25)

AYES: Mr. Sloan, Mr. Clinton, Mr. Martin, Mr. Leffel

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

Regarding the request to rezone from A-1 to B-2, Mr. Clinton questioned the phasing of the project.

Mr. Fralin stated that the multi-family units will be constructed first, as commercial space is slower to sell. He also noted that interest rates are increasing.

Mr. Clinton stated that he has doubts on the developer's ability to be able to sell the retail aspect of this development. He questioned if there was a percentage of total land area set aside for retail and what is R. Fralin Companies' "strength of confidence" in their ability to successfully develop retail uses in this development.

Mr. Fralin stated that "rooftops drive demand for retail" and when rooftops come to an area then retail uses will follow. Mr. Fralin stated that he believes that this site is a good location for commercial uses partly due to the availability of public water and sewer. Mr. Fralin further stated that he feels that there will be a demand for retail but his company is in no hurry to sell the retail sites.

After further questioning by Mr. Clinton, Mr. Fralin stated that they plan to start work on this project immediately upon approval. He noted that they will need to construct a sewer lift station to serve this development. Mr. Fralin also stated that, since interest rates are increasing, time is not on their side in obtaining funding for this project; however, the single family dwelling aspect of construction is making a comeback in the current economy.

Mr. Clinton then questioned what is R. Fralin Companies' ability to handle a project of this size and design.

Mr. Fralin stated that they have built or purchased approximately 800 apartment dwellings, constructed single family dwellings, have over 100,000 square feet of commercial space, and have developed several subdivisions in the Roanoke and Staunton areas, including the two office buildings proposed for Wendover Road in Daleville. He noted that this project is not outside of the capabilities of his firm and its 40 employees. Mr. Fralin stated that this project will probably be their primary focus once approved.

After questioning by Mr. Clinton regarding the length of the cul-de-sac exceeding the Subdivision Ordinance's requirements, Mr. Pearson stated that the proposed cul-de-sac does not exceed the maximum of 1,250' in length, as the Subdivision Ordinance defines a cul-de-sac as a street with only one outlet which meets VDOT design and construction standards. Mr. Pearson stated that the length of the proposed cul-de-sac would then be measured from the closest intersection to the end of the cul-de-sac which, on the concept plan, is shown as a nearby loop road in the single family detached portion of the development; therefore, this street is in compliance with the Subdivision Ordinance's provisions.

Mr. Clinton then questioned how emergency services vehicles would access this development since only one entrance is being proposed.

Mr. Pearson stated that the Subdivision Ordinance does promote connectivity between developments and two future connections to adjacent properties are shown on the concept site plan.

After questioning by Mr. Sloan, Mr. Fralin stated that he would imagine retail businesses similar to those offered in the Village Square development in the New River Valley, which has an optometrist, restaurant, a VelocityCare medical facility, etc., would be drawn to the Fieldstone Place development.

Mr. Clinton stated that he believes this project "is an opportunity for all of us."

There being no further discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following conditions. 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 18-08-26)

AYES: Mr. Leffel, Mr. Clinton, Mr. Sloan, Mr. Martin

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

HAL T. AND CYNTHIA T. BAILEY
and
BAILEYWICK HOLDINGS, LLC, C/O MIKE BAILEY
(Fieldstone Place, LLC, developer)

In the Amsterdam District to rezone 10.96 acres from an Agricultural A-1 Use District to a Business B-2 Use District for commercial uses in accordance with Chapter 25 Zoning, Article II, Division 11 of the Botetourt County Code on two parcels totaling 80.32 acres located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville, located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B.

1. The B-2 Business District will be developed in substantial conformance with the development pattern of the B-2 Development Area shown on the attached concept plan "Fieldstone Concept Plan" (Exhibit A) dated 4/13/2018, last revised

8/20/2018, subject to necessary modifications as may be required by final engineering and/or regulatory agencies.

2. The B-2 Business District shall be developed in substantial conformance with the "Fieldstone Development Guidelines B-2 Development District" dated 8/2/2018.
3. The access at US Route 220 will be developed according to VDOT standards and all improvements will be in accordance with the Traffic Study, and will specifically include Alternative #2, known as a Continuous Green-T entrance configuration, prior to the issuance of the first building permit, originally dated December 20, 2017 and last revised April 17, 2018.

There being no further discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following conditions. 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 18-08-27)

AYES: Mr. Leffel, Mr. Clinton, Mr. Sloan, Mr. Martin

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

**HAL T. AND CYNTHIA T. BAILEY
and
BAILEYWICK HOLDINGS, LLC, C/O MIKE BAILEY
(Fieldstone Place, LLC, developer)**

In the Amsterdam District to rezone 46.75 acres from an Agricultural A-1 Use District to a Residential R-3 Use District to construct single-family detached dwelling units and single-family attached dwelling units in accordance with Chapter 25 Zoning, Article II., Division 6 of the Botetourt County Code on two parcels totaling 80.32 acres located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville, located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B.

1. The R-3 Medium Density Residential District will be developed in substantial conformance with the development pattern of the R-3 Development Area shown on the attached concept plan "Fieldstone Concept Plan" (Exhibit A) dated 4/13/2018, last revised 8/20/2018, subject to necessary modifications as may be required by final engineering and/or regulatory agencies.
2. All homes in the R-3 Medium Density Residential District will be either Single Family Attached Residential Units or Single Family Detached Residential Units.
3. The number of homes in the R-3 Medium Density Residential District shall be limited to 34 Single Family Attached Dwelling Units and 54 Single Family Detached Dwelling Units.

There being no further discussion, on motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following conditions. 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 18-08-28)

AYES: Mr. Leffel, Mr. Clinton, Mr. Sloan, Mr. Martin

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

HAL T. AND CYNTHIA T. BAILEY
and
BAILEYWICK HOLDINGS, LLC, C/O MIKE BAILEY
(Fieldstone Place, LLC, developer)

In the Amsterdam District to rezone 22.61 acres from an Agricultural A-1 Use District to the Residential R-4 Use District for multi-family dwellings units in accordance with Chapter 25 Zoning, Article II, Division 7 of the Botetourt County Code on two parcels totaling 80.32 acres located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville, located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B.

1. The R-4 High Density Residential District will be developed in substantial conformance with the development pattern of the R-4 Development Area shown on the attached concept plan "Fieldstone Concept Plan" (Exhibit A) dated 4/13/2018, last revised 8/20/2018, subject to necessary modifications as may be required by final engineering and/or regulatory agencies.
2. All homes in the R-4 High Density Residential District will be Multifamily Units.
3. The Maximum Density of Multifamily Housing Units in the R-4 High Density Residential District shall be limited to 15 dwelling units per acre.

On motion by Mr. Clinton, seconded by Mr. Martin, and carried by the following recorded vote, the Board of Supervisors approved a request in the Amsterdam District from Hal T. and Cynthia T. Bailey and Baileywick Holdings, LLC, c/o Mike Bailey (Fieldstone Place, LLC, developer), for a Special Exceptions Permit to allow for a maximum density of up to 15 dwelling units per acre in accordance with Chapter 25 Zoning, Article II, Division 1, Section 25-169. Uses permissible by special exception of the Botetourt County Code on two parcels totaling 80.32 acres in the Agricultural A-1 Use District located on and abutting 2582 Roanoke Road (U. S. Route 220), Daleville and are located approximately 0.95 miles north of the Roanoke Road intersection with Valley Road (State Route 779), identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 36 and 36B, with the following conditions. (Resolution Number 18-08-29)

AYES: Mr. Leffel, Mr. Clinton, Mr. Sloan, Mr. Martin

NAYS: None

ABSENT: None

ABSTAINING: Dr. Scothorn

1. The R-4 High Density District will be developed in substantial conformance with the development pattern of the R-4 Development Area shown on the attached concept plan "Fieldstone Concept Plan" (Exhibit A) dated 4/13/2018, last revised 8/20/2018, subject to necessary modifications as may be required by final engineering and/or regulatory agencies.
2. The R-4 High Density District shall be developed in substantial conformance with the "Fieldstone Development Guidelines R-4 High Density Residential District" dated 8/2/2018.
3. Adjacent to the Layman Family property, a 100-foot building and parking setback will be maintained.
4. Adjacent to the Layman Family property, a black vinyl chain link fence will be installed.

5. Adjacent to the Layman Family property, two rows of six foot tall Leyland Cypress trees, staggered every ten feet, will be installed and properly maintained.

Mr. Leffel stated that he understands Mr. Helms' comments about traffic and density; however, these comments "do not impress me a lot." Mr. Leffel stated that he has lived in Botetourt County since Route 11 was a gravel roadway, there was only one stop sign located at the Route 11/220 intersection, and there was no development on Route 220 until you reached Fincastle.

Mr. Leffel further stated that he appreciated everyone's attendance at this meeting as well as their comments and thoughts.

There being no further discussion, the meeting was adjourned at 7:15 P. M.