

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, September 22, 2020, at the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P. M.

PRESENT: Members: Mr. Billy W. Martin, Sr., Chairman
Dr. Donald M. Scothorn, Vice-Chairman
Mr. Steve Clinton
Mr. I. Ray Sloan
Dr. Richard G. Bailey

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:34 P. M.

On motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board went into Closed Session pursuant to the Code of Virginia, 1950, as amended, to discuss the following: Section 2.2-3711.A. 3, Acquisition or disposition of real property for economic development purposes where discussion in open session would adversely affect the County's bargaining position or negotiating strategy namely concerning the Amsterdam (Greenfield) and Blue Ridge (Jack Smith Park) Districts; Section 2.2-3711.A. 5, Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community in the Amsterdam (Greenfield), Blue Ridge, Buchanan, and Fincastle Districts; and Section 2.2-3711.A. 7, Consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the County's negotiating/litigating posture regarding a rate increase application submitted to the SCC by AquaVirginia. (Resolution Number 20-09-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:04 P. M.

Mr. Martin welcomed those present at the meeting.

On motion by Mr. Martin, 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 20-09-02)

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

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. Martin then stated that the Board of Supervisors fully supports the County's first responders, including Sheriff's Department and Fire and EMS personnel, and the County has no intention of cutting their funding.

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

Mr. Martin then asked for a moment of silence.

Mr. Martin then asked Mrs. Joyce Kessinger to come forward. Mr. Martin stated that Mrs. Kessinger served as a member of the Economic Development Authority and recently submitted her resignation. He noted that the Board has asked her to attend today's meeting to recognize her 21 years of service to the County.

Mr. Martin then read the framed proclamation as follows:

WHEREAS, Mrs. Joyce Kessinger served as a member of the Botetourt County Economic Development Authority from June 1999 through July 2020; and,

WHEREAS, during her tenure, the Authority participated in the recruitment of several additional companies and manufacturers to Botetourt County, including Southeastern Freight Lines, Canatal Steel USA, Pratt Industries, and Eldor Corporation, and assisted in the expansion of several companies and manufacturers in the County, including Carris Reels, Dynax America Corporation, Lawrence Transportation Systems, Altec, Metalsa, Pepsi Bottling Company, Roanoke Cement Company, and Tread Corporation; and,

WHEREAS, Mrs. Kessinger also assisted in the County's efforts to diversify its economic development tax base through the issuance of industrial development revenue bonds for such projects as Altec Industries, Arkay Packaging Corporation, the Daleville YMCA, LARE, Inc., among others, and also worked on an EDA subcommittee to review applications from the County's small businesses who were impacted by the COVID-19 pandemic for CARES Act funds; and,

WHEREAS, during her tenure with the Economic Development Authority, the County, the Roanoke Regional Partnership, and the Commonwealth of Virginia have announced the creation of over three thousand new jobs and the investment of approximately \$600 million by companies locating to and expanding operations in Botetourt County; and,

WHEREAS, Mrs. Kessinger has had a great relationship with the Board of Supervisors and County staff and has their respect for her leadership, passion, and vision to provide better economic development opportunities for the County's citizens; and,

WHEREAS, Mrs. Kessinger's experience, knowledge, and dedication to the County is sincerely appreciated by the County, its staff, the members of the Economic Development Authority, and the County's citizens;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors hereby expresses its sincere appreciation for the 21 years of service given by Mrs. Joyce Kessinger to the citizens of Botetourt County through her service on the Botetourt County Economic Development Authority.

FURTHER, the Board wishes Mrs. Kessinger all the best in the future.

Mr. Martin stated that the Board appreciates all that Mrs. Kessinger has done and the impact she has made in the County during her tenure on the EDA.

Mrs. Kessinger thanked the Board for this proclamation and stated that she has enjoyed the time spent as a member of the EDA.

Mr. Larrowe stated that Mrs. Kessinger also served as Chairman of the EDA for several years. He noted that she was an advocate for the development and economy in Botetourt County. Mr. Larrowe noted that it has been a pleasure to work with her on the EDA and thanked her for her years of service.

Mr. Larrowe then introduced Mr. Ricky Dowdy to the Board. He noted that yesterday was Mr. Dowdy's first day of work as the County's new Maintenance Director. Mr. Larrowe stated that he previously worked with Mr. Dowdy at Carroll County.

Mr. Larrowe stated that Mr. Dowdy is a certified electrician and has experience in managing projects and people including the renovation of a building to house the Carroll County EDA as well as overseeing the construction of new buildings and facilities. He noted that Mr. Dowdy has 2 children, 3 grandchildren, 5 dogs, and plays golf.

Mr. Martin welcomed Mr. Dowdy and stated that it is a pleasure to have Mr. Dowdy working for the County.

Mr. Dowdy thanked Mr. Martin for his comments and noted that he is excited to be working for the County.

The public comment period was then held.

Mr. Tim Snyder of Scarlett Drive in Daleville stated that he serves as the Amsterdam District representative on the Parks and Recreation Commission. Mr. Snyder stated that he is present to request that the Board continue to support recreation programs in the County and noted that he has recently discussed these issues with several Board members.

Mr. Snyder stated that recreation does not only include sports and recreational activities. He noted that recreation also includes education and other opportunities which are important for the County's youth and citizens. Mr. Snyder asked that the Recreation Department be encouraged to help the Commission continue to support the Recreation Commission, recreation at Greenfield, and recreation in the County as a whole.

Mr. Clinton stated that Mr. Snyder is the Recreation Commission's Chairman and is doing a great job. He noted that this is a good time as the County is turning things around and it is an opportunity for a renaissance and restructuring of what is occurring in parks and recreation. Mr. Clinton noted that "we are going to get our recreation programs back on track."

Discussion was then held on the consent agenda items.

After questioning by Mr. Martin, Mr. Clinton stated that he has questions regarding the request for approval of an emergency and sole source HVAC contract.

After questioning by Mr. Clinton, Mr. David Moorman, Deputy County Administrator, stated that this request is to authorize a sole source, emergency contract to procure HVAC upgrades and equipment in various County facilities using CARES Act funds. He noted that this project also includes the purchase of cold plasma generators which are used to kill viruses.

Mr. Moorman stated that the use of CARES Act funds requires that the funds be expended by December 30, 2020. He noted that staff believes that this work can be completed before the end of the year as the proposed vendor, Obaugh HVAC and Mechanical, is knowledgeable of the County's HVAC equipment and facilities.

After questioning by Mr. Clinton, Mr. Moorman stated that the staff has conducted negotiations with the vendor and are satisfied with the proposed price to complete this work.

Dr. Scothorn stated that air filtration systems and ultraviolet lights are suitable for killing viruses but plasma generators do a lot more to kill viruses. He noted that this company is local, knows the County's equipment, and can get the work done before the end of December.

Dr. Scothorn stated that this is a win/win for the safety of the public and staff who visit the County's facilities.

There being no further discussion, on motion by Mr. Sloan, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 20-09-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on August 25, 2020;

Approval of the following proclamation declaring the week of October 4 – 10, 2020, as Fire Prevention Week:

WHEREAS, Botetourt County, Virginia, is committed to ensuring the safety, health and security of all those living in and visiting the County; and,

WHEREAS, according to the National Fire Protection Association (NFPA), cooking fires are the leading cause of residential fires and fire injuries in the United States, the second leading cause of fire deaths, and responsible for over a billion dollars in annual fire losses; and,

WHEREAS, unattended cooking is the leading cause of cooking fires, with more than one-quarter of associated deaths occurring while the victims were asleep, many of whom did not have the protection offered by a working smoke detector in each sleeping area and on each level of the home; and,

WHEREAS, the majority of cooking fires start with the ignition of food or other cooking materials on the stovetop and more than half of non-fatal injuries occur when occupants attempt to control the fire themselves; and,

WHEREAS, it is recommended that in the event a cooking fire should occur, the best course of action is to never attempt to extinguish it with water, especially when grease is involved, but to simply place a lid over the burning pot or pan, utilize a dry chemical fire extinguisher, or immediately evacuate the home and dial 911 for assistance; and,

WHEREAS, taking these steps to establish and practice a home fire escape plan at least twice a year ensures that everyone in the household knows what to do in a real fire situation; and,

WHEREAS, Botetourt County's first responders are dedicated to reducing the occurrence of home fires and their potentially devastating effects through targeted prevention efforts, community risk reduction education, and an effective emergency response system; and,

WHEREAS, the 2020 Fire Prevention Week theme, "***Serve Up Fire Safety in the Kitchen***," effectively serves to remind us that we need to take personal steps to increase our safety from fire;

NOW THEREFORE, BE IT RESOLVED, that we, the Board of Supervisors of Botetourt County, Virginia, do hereby proclaim October 4 - 10, 2020, as **Fire Prevention Week** throughout this community.

Approval of proclamation declaring the week of October 25 – 31, 2020, as Red Ribbon Week; and

WHEREAS, the Virginia Federation of Communities for Drug-Free Youth instituted an anti-drug campaign in 1985; and,

WHEREAS, the red ribbon was adopted as the symbol of intolerance of illegal drug use and a commitment of a drug-free lifestyle; and,

WHEREAS, in 1988 the National Family Partnership sponsored the first national Red Ribbon Celebration; and,

WHEREAS, the last week in October has been designated as National Red Ribbon Week; and,

WHEREAS, Botetourt County endorses all activities to encourage the citizens of Botetourt County and the Roanoke Valley to not use illegal drugs,

NOW, THEREFORE, it is hereby proclaimed that the week of October 25 – 31, 2020, is **Red Ribbon Week** in Botetourt County.

Approval of the following resolution declaring an emergency and sole source HVAC contract with Obaugh HVAC and Mechanical:

WHEREAS, the County of Botetourt desires to affect an upgrade and/or replacement of HVAC devices in various County facilities; and,

WHEREAS, upgrading/replacement of these HVAC systems must be pursuant to provisions of the Virginia Public Procurement Act and County Procurement policies; and,

WHEREAS, with respect to the necessary upgrade of these HVAC systems, expertise and previous in-depth knowledge of the County's HVAC systems and their previous maintenance and upgrades is critical to the timely and effective upgrade of said system and its associated equipment in order to minimize the risk associated with failure of the system; and,

WHEREAS, there is only one vendor that will have the ability to fulfill the provision of product and system integration services to complete the upgrades by December 30, 2020 as required under the provisions of the federal CARES Act; and,

WHEREAS, the Board is requested to designate Obaugh HVAC & Mechanical as a sole source provider with respect to the procurement of product and system integration services to upgrade the HVAC systems in various County facilities; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Botetourt County Board of Supervisors determines that Obaugh HVAC & Mechanical is the only source practicably available to fulfill the County's needs to effect the upgrade and/or replacement of the HVAC systems in various County facilities before December 30, 2020, and therefore, the Board of Supervisors approves Obaugh HVAC & Mechanical as a sole source procurement provider. Therefore, a contract is awarded to Obaugh HVAC & Mechanical without competitive sealed bidding or competitive negotiation and the County Administrator is authorized to enter into an agreement with Obaugh HVAC & Mechanical in a form to be approved by the County Attorney.

Consideration was then held on approval of additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were 6 pass-through and 3 regular appropriations for the Board's consideration. He noted that these are for expenditure reimbursements, receipt of grant funds, insurance proceeds, contributions, working capital for the EDA (which is included on this month's accounts payable list), and for invoices on the West Center Drive construction project.

After questioning by Mr. Martin regarding the EDA appropriation, Mr. Zerrilla stated that typically these revenues are pass-through in nature. He noted that the EDA does have a budget; however, their working capital is at a low level at this time and these funds are needed to pay monthly invoices.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following additional appropriations. (Resolution Number 20-09-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Additional appropriation in the amount of \$4,053.92 to the following Correction & Detention accounts: \$3,777.92 to Medical & Lab Supplies, 100-4033100-33100-6004; and \$276.00 to Uniforms, 100-4033100-33100-6011. These funds are for medical co-pays and contract payments.

Additional appropriation in the amount of \$1,432.62 to the following Sheriff's Department accounts: \$1,000.00 to Forest Patrol Salaries, 100-4031200-31200-1900; \$82.62 to FICA, 100-4031200-31200-2100; and \$270.00 to Vehicle Supplies, 100-4031200-31200-6009. These are reimbursement of funds relating to National Forest patrol duties.

Additional appropriation in the amount of \$2,352.83 to the following Sheriff's Department accounts: \$61.58 to Subsistence & Lodging, 100-4031200-31200-5530; \$372.60 to Vehicle Supplies, 100-4031200-31200-6009; and \$1,918.65 to Overtime, 100-4031200-31200-1200. These are funds received for reimbursement of extradition costs and U. S. Marshal's Service activities.

Additional appropriation in the amount of \$2,500.00 Sheriff's Department-Anti-Drug Education, 100-4031200-31200-5860. This is a grant donation from Erie Insurance for goggles.

Additional appropriation in the amount of \$5,064.38 to Fire & EMS – Glen Wilton – Repair & Maintenance – Wagon, 100-4035500-35560-3312-036. These are insurance proceeds for damage to a rescue vehicle.

Additional appropriation in the amount of \$200.00 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. This is for contributions to Fire and EMS operations.

Additional appropriation in the amount of \$30,000.00 to Transfers to EDA, 100-4091800-91800-3800. These are funds to support EDA operating expenses.

Additional appropriation in the amount of \$10,325.50 to Economic Development – Professional Services, 100-4081500-81500-3100. This is to cover two Draper Aden engineering-related invoices for the previous fiscal year.

Additional appropriation in the amount of \$85,000.00 to CIP - West Center Drive, 100-4094000-81500-8012-802. This appropriation provides coverage for upcoming progress billings from Engineering Concepts for services relating to the VDOT industrial access road in Greenfield.

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 the accounts payable, including Debt Service payments, totaled \$1,397,151.95. He noted that this month's large expenditures included \$50,625 to Axon Enterprise for the purchase of 25 tasers; \$117,560 to SHI International Corporation for annual Microsoft licensing; \$49,155 to Eagle Air for the purchase of an air compressor and related systems for Fire and EMS; \$90,656 to the Economic Development Authority as a pass through of State VATI grant funds for the Craig-Botetourt Electric Cooperative broadband project; and \$245,070 to F&S Building Innovations for County office renovations at the Greenfield Education and Training Center.

There being no discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the Accounts Payable list and ratified the Short Accounts Payable List as submitted. (Resolution Number 20-09-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of the FY 21 budget categorical appropriation resolution. Mr. Tony Zerrilla, Director of Finance, stated that the Board approved the FY 21 budget in June and, due to the pandemic, the Board directed that there be quarterly categorical appropriations of revenues to allow staff to more closely monitor revenues and expenditures.

He noted that the first quarterly appropriation was approved in June and the Board is being requested today to approve the second quarterly appropriation. He noted that, if this proposed resolution is approved, 55% of the total FY 21 budget would be appropriated, except in a few instances, and for the School Self-Sustaining non-operations funds which will be appropriated in the full balance amount (\$35,793,746).

After questioning by Mr. Clinton, Mr. Zerrilla stated that this appropriation is for the second quarter of FY 20-21; the September – December time period. He noted that the Board will be asked to approve the third quarter appropriation at their December regular meeting.

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 FY 21 budget categorical appropriation resolution:

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 20-09-06

WHEREAS, the General Fund, School Budgets, and Tax Levies have been approved for Fiscal Year 2020 - 2021,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Botetourt County hereby make the following categorical appropriations for Fiscal Year 2020 - 2021 for the functions, as indicated; and the Treasurer of Botetourt County is authorized to transfer local funds, as needed, not to exceed \$25,690,881 to the School Operating Fund.

September 2020 Partial Appropriation				
100-4011100	-	11010	Board of Supervisors	58,868
100-4012110	-	12110	County Administrator	152,709
100-4012220	-	12220	Human Resources	88,374
100-4012310	-	12310	Commissioner of Revenue	110,370
100-4012410	-	12410	Treasurer	139,638
100-4012430	-	12430	Financial Services	85,819
100-4012510	-	12510	Technology Services	307,029
100-4012530	-	12530	Central Purchasing	40,476
100-4012560	-	12560	Central Garage	25,747
100-4013300	-	13300	Electoral Board Registrar	99,544
100-4021100	-	21100	Circuit Court	17,348
100-4021200	-	21200	General District Court	5,992
100-4021300	-	21300	Magistrate	747
100-4021500	-	21500	Juvenile & Domestic Relations Court	4,214

100-4021600 - 21600	Clerk of Circuit Court	189,499
100-4022100 - 22100	Commonwealth's Attorney	215,299
100-4031200 - 31200	Sheriff	1,378,263
100-4031400 - 31400	Dispatch	234,971
100-4035500 - 32421	Western Va. EMS Council	4,705
100-4033100 - 33100	Correction & Detention	1,262,536
100-4033200 - 33200	Juvenile Detention Center	43,750
100-4033300 - 33300	Probation Office	1,238
100-4035100 - 35100	Animal Control	175,678
100-4035500 - 35500	Fire & EMS	1,376,031
100-4035600 - 35600	Emergency Communications	85,410
100-4042400 - 42400	Division of Waste Management	198,902
100-4043000 - 43000	Maint. of General Bldgs. & Grounds	266,229
100-4051000 - 51100	Local Health Department	85,204
100-4051000 - 52500	Mental Health Service Board	28,000
100-4051000 - 53710	Total Action For Progress (TAP)	700
100-4051000 - 53716	Brain Injury Services	1,750
100-4053000 - 53000	Social Services	361,034
100-4053500 - 53500	Children's Services Act (CSA)	388,483
100-4053730 - 53730	Child Health Invest. Partnership (CHIP)	1,400
100-4081200 - 81200	Community Development	295,482
100-4051000 - 53740	Roanoke Area Ministries	700
100-4081200 - 69130	Botetourt County FFA Alumni	700
100-4051000 - 53775	Botetourt Resource Center	7,000
100-4051000 - 53780	League of Older Americans	7,700
100-4068000 - 00000	Community Colleges	29,498
100-4071100 - 71100	Recreation & Facilities	412,965
100-4071300 - 71300	Botetourt Sports Complex	95,486
100-4071500 - 71500	Van Program	25,702
100-4072000 - 72240	Botetourt Co. Museum/Historical Society	6,300
100-4072000 - 72241	Standing Room Only	4,900
100-4072000 - 72242	Attic Productions	4,900
100-4073100 - 73100	Library	325,693
100-4081200 - 81240	Virginia's Blue Ridge	38,300
100-4081200 - 81250	Roanoke Valley Greenway Commission	10,206
100-4081200 - 81510	Economic Devel. Partnership	34,453
100-4081200 - 82500	Environmental Management	14,078
100-4081500 - 81500	Economic Development	116,035
100-4081500 - 81520	Western Va. Reg. Industrial Facility Auth.	3,032
100-4083000 - 83000	Cooperative Extension Program	16,604
100-4081200 - 81610	Western Virginia Workforce Devel. Board	2,345
100-4091000 - 91000	Wellness Program	43,051
100-4091800 - 91800	EDA Transfers	418,250
100-4094000 -	Capital Projects	602,688
	TOTAL GENERAL FUND	9,952,025
100-4095000 -	Debt Service - County/VPSA	1,001,536
100-4095000 -	Debt Service - School Literary Fund	386,250
	TOTAL DEBT SERVICE FUNDS	1,387,786
220-4050000 -	School Operations	19,456,979
	Self-Sustaining Funds	1,946,885
	School Nutrition Fund	1,562,829

	Textbook Fund	1,424,102
	Capital Reserve Fund	63,140
	TOTAL SCHOOL FUND	24,453,935
	TOTAL ALL FUNDS	35,793,746

A public hearing was then held on an amendment to the FY 20-21 County budget regarding receipt of additional monies from the CARES Act of 2020. Mr. Tony Zerrilla, Director of Finance, stated that the County received a July 28, 2020, letter from Virginia Secretary of Finance Aubrey Lane that the County would receive a second allocation of CARES Act funds from Congress. He noted that this allocation totaled \$2,915,679 and was received by the County on August 17, 2020.

Mr. Zerrilla stated that any proposed amendment to the County's budget which exceeds 1% of the total adopted expenditures must be advertised for a public hearing. He noted that this public hearing was advertised in The Fincastle Herald on September 9, 2020.

Mr. Zerrilla stated that there are guidelines for the use of CARES Act funds as follows: to cover costs that are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), were not accounted for in the budget most recently approved as of March 27, 2020, for the state or government, and were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

Mr. Zerrilla stated that any use of these funds must be approved by the CARES Act Committee (Dr. Scothorn and Dr. Bailey) prior to expenditure.

Ms. Terri Brockly of Catawba Road then stated that she has some concerns about where these funds are being spent. She said that the Board should put these requests out to the public to see where the money is spent as "it is our money; we are the ones that pay the taxes to the federal government" who then send the money back to the States and the County.

Mr. Martin stated that there are several presentations before the Board scheduled later this afternoon on projects that these funds are being used for.

Ms. Brockly also requested that the Board change their meeting to 6PM so the community can attend, follow up on what the Board is doing, and hold the Board accountable. She further stated that more of the community should be able to attend the Board's meetings.

There being no one else present to speak, the public hearing was then closed.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved an amendment to the 2020-2021 Botetourt County budget in the form of an appropriation in the amount of \$2,915,679.00 to Fund 260 - CARES Act of 2020. (Resolution Number 20-09-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Traci Clark, Director of Elections and General Registrar, then gave an update on the November 2020 election. Mrs. Clark stated that this is a "crazy election year" which includes dealing with the pandemic and the General Assembly changing several of the State's

election laws less than 60 days before the election occurs. She stated that her office is playing “catch up” and dealing with the new, early, no excuse voting requirements; however, things are going smoothly.

Mrs. Clark stated that among the new General Assembly legislation effective July 1, 2020, was a provision that photo identification is no longer required before voting. She noted that items such as bank statements, utility bills, government-issued checks, a driver’s license, passport, etc., are allowed to be used as identification as long as the voter’s full name and address are on the item. Mrs. Clark stated that, if the voter does not have any of these types of identification, they are allowed to sign a statement verifying their identity and then are allowed to vote.

Mrs. Clark stated that, as of July 1 and due to the pandemic, the State is also allowing early/no excuse absentee voting which began last Friday, September 18. She stated that previously the State limited the allowances for early absentee voting to 14 reasons, e.g., out of town, illness, work, etc. She noted that the deadline to cast early absentee ballots is October 31 and there have been 404 absentee votes cast in her office since Friday. Mrs. Clark noted that her office is open every day and will also be open on two Saturdays in October to accommodate the voting public.

After discussion, Mrs. Clark stated that 1,999 absentee ballots were mailed on Friday to those citizens who requested them. She noted that this first mailing totaled more than the number of absentee ballots her office handled the entire 45 days prior to the November 2016 election. She stated that voters are required to request ballots by mail 11 days before the election to ensure that they are mailed, received, completed, and returned to the Registrar’s office or a voting precinct by 7PM on Election Day (November 3). She noted that mailed-in ballots postmarked by November 3 and received by noon on November 6 will be counted.

Mrs. Clark also stated that, due to the pandemic, witness signatures are not required on absentee ballots and her office has been required to include return postage on the mailed-in ballots. She noted that this unanticipated cost (\$1,100 for the first mailing) was paid from her budget but she anticipates reimbursement of these funds from the State.

Mrs. Clark stated that her office has received \$56,687 in CARES Act money from the Virginia Department of Elections which has to be spent by the end of November 2020. She noted that these funds were used to purchase additional ballot scanners for the County’s four largest precincts to help alleviate a potential backlog of voters at the polling stations. Mrs. Clark stated that these funds were also used to purchase additional electronic pollbooks, additional private voting booths, and tabletop acrylic barriers to protect the poll workers and the voters.

Mrs. Clark stated that the polls will be open from 6AM to 7PM on Election Day and she anticipates having between 10 and 14 election officers at each precinct. She noted that poll workers will be provided with masks, gloves, and other personal protective equipment which was purchased by the State.

After discussion, Mrs. Clark stated that the first phase of her office’s remodeling project is finished. She then displayed photographs of the renovated area. Mrs. Clark stated that the Purchasing Department relocated from the first floor of her building to the Education and Training Center to allow this remodeling project to occur over the summer.

She noted that wooden floors that were original to the building were located under the old tile flooring and have been refinished. She further noted that a new concrete ramp was

installed from Main Street into the building and the renovations have opened up the old Purchasing Department space to allow it to be used as a reception and early voting area.

Mrs. Clark noted that these renovations were approved by the Supervisors and she appreciates their assistance in having this work done prior to the election. Mrs. Clark stated that phase 2 of the renovations will open up the area in the rear of the building which currently houses her office and staff.

Mr. Martin stated that the renovated area looks very nice.

Dr. Bailey then thanked Mrs. Clark and her staff for everything that they are doing to make this election as safe and secure as possible. Dr. Bailey stated that he knows that it has been a trying year and he is glad that the office renovations were able to be completed before early voting began. He noted that the Registrar's small office space would not have been a good fit for early voters during the pandemic. Dr. Bailey further noted that \$140,000 in CARES Act funds were used for these renovations.

After question by Mr. Clinton regarding additional elections officers, Mrs. Clark stated that she anticipates having between 10 – 14 elections officers at each precinct. She noted that this is the usual number of poll workers that they try to have available during each presidential election. She further noted that there are also a few volunteers who will be available to help ensure social distancing and to conduct frequent sanitization of the polls.

After further questioning by Mr. Clinton, Mr. Tony Zerrilla, Director of Finance, stated that the funding to pay the poll workers is included in the Registrar's budget.

After questioning by Mr. Clinton regarding voter fraud or interference by individuals to keep people from voting, Mrs. Clark stated that cyber security upgrades have been made over the past year by the County and the State. She noted that her office's computers are now on their own network separate from the County's to help minimize hacking or the spread of computer viruses.

Regarding voter fraud, Mrs. Clark stated that there has been a lot about this problem in the news but the percentage of actual, committed voter fraud is very low. She noted, however, that her staff is mindful of the potential and there are security measures in place.

There being no further discussion, the Board thanked Mrs. Clark for her presentation.

Mr. Ray Varney, Resident Engineer with the Virginia Department of Transportation, was then present to review VDoT's monthly report.

Mr. Varney stated that the Route 220 project is going relatively well and its anticipated completion date is the fall of 2021; the Ballpark Road bridge rehabilitation project should be complete by the end of this month; safety improvements on I-81 southbound between Mile Markers 167 and 169 which include new high-grip pavement and the permanent closure of the Exit 167 off-ramp have begun; and the Route 676 (Parsons Road) bridge replacement project will necessitate the road's closure from October 19 – 29 and message boards will be placed to warn drivers of the detour. Mr. Varney stated that VDoT staff is working with the Department of Fire and EMS and the County's schools to ensure emergency services and school bus access where necessary on Parsons Road during this closure.

Mr. Varney noted that, due to a \$300,000 decrease in funding in calendar year 2021, the Secondary System paving schedule for roads carrying more than 3,500 vehicles per day has been adjusted and forwarded to the District Office for review/approval. Mr. Varney stated

that most of the Secondary System roads in the Salem Residency have less than 3,500 vehicle trips per day and some of those on the current paving schedule will be impacted by this funding reduction.

After discussion, Mr. Varney stated that several site plans for various projects are being reviewed or have been approved by VDoT over the past month and 8 private entrance, logging entrance, utility, and temporary construction entrance permits have been issued.

Regarding Murray Drive, Mr. Varney stated that work has begun on this project; however, they “continue to fight the utility battle.” He noted that the road’s drainage system had to be redesigned due to utility locations in the road’s proposed right-of-way. Mr. Varney stated that, to allow the project to proceed, VDoT and the contractor have agreed to place the base stone and all but the surface layer of pavement on the road and will cut this pavement to allow the remaining utility relocations to be made prior to the final pavement being placed.

Mr. Varney noted that the soil nail project on Glen Wilton Road is complete and work is anticipated to begin on the Stone Coal Road Rural Rustic Road project in the spring/summer of 2021.

Mr. Varney then stated that VDoT is working with the Sheriff to use inmate labor to maintain the roundabout area at Exit 150. He noted that they are also working on an updated Landscaping Plan for the pollinator area which will be advertised for bids this fall. He noted that linear planting beds for trees, among other improvements, are proposed for this site and some of the work may be done this fall and next spring. Mr. Varney stated that VDoT is also working on a contract for more frequent maintenance of the roundabout area than VDoT would normally do on their rights-of-way.

Mr. Varney noted that the draft Route 460 Arterial Preservation Plan is complete and should be made available in the next few weeks. He further noted that their area headquarters personnel continue to grade and adding stone on gravel roads, are conducting pavement patching work, ditch and shoulder brush trimming, pipe replacements, etc., and they are also preparing for snow removal season.

After questioning by Mr. Clinton regarding the \$300,000 reduction in Secondary System resurfacing funds, Mr. Varney stated that VDoT’s total pavement budget for the Salem Residency is approximately \$5 million. Mr. Varney noted that this reduction concerns him as it is hard for VDoT to “turn around and make (budget/contractual) adjustments at this time.”

Mr. Clinton stated that he has continued to receive calls from citizens regarding the speed limit on Greenfield Street. He noted that this roadway has a golf cart crossing for the Ashley Plantation golf course, is used by pedestrians, and has increased vehicular traffic due to development in this area.

Mr. Varney stated that he will discuss these roadway issues with the District Traffic Engineer, who is the only one who can reduce the roadway’s speed limit.

Dr. Scothorn then thanked Mr. Varney for his work to increase maintenance and implement additional landscaping improvements at Exit 150. After further discussion by Dr. Scothorn, Mr. Varney stated that the wildflower/pollinator area on the former truck stop site will be retained; however, several invasive species will be removed from the site and additional plantings made.

Mr. Sloan then asked that additional maintenance be conducted on Fringer Trail and Back Creek Lane. He noted that Back Creek Lane is scheduled for paving in 2023.

After questioning by Dr. Bailey, Mr. Varney stated that the \$300,000 reduction in paving funds will not affect the Secondary System Six Year Plan's projects. He noted that the paving costs are paid from a separate account.

Dr. Bailey then requested that additional maintenance work be conducted on Trinity Road. Mr. Varney stated that he will have their maintenance staff check on this roadway's condition.

There being no further discussion, the Board thanked Mr. Varney for all his work in trying to keep the County's roads well maintained.

Mr. Martin then noted that Delegate Terry Austin was present at the meeting.

Consideration was then held on a request from Thomas A. Wilbon, III, and Gary W. McFarland, Sr., to amend the Comprehensive Plan's Transportation map regarding the abandonment/vacation of a 0.37 mile length of right-of-way on Ellis Run Road and on a request from Thomas A. Wilbon, III, and Gary W. McFarland, Sr., to abandon/vacate a 0.37 mile length by 30' wide right-of-way on Ellis Run Road.

Mrs. Nicole Pendleton, Director of Community Development, stated that the Planning Commission had tabled both of these requests to allow additional information to be obtained.

A public hearing was then held on proposed amendments to Chapter 10. Erosion and Sediment Control; Stormwater Management of the Botetourt County Code. Mr. David Givens, Development Services Manager, stated that a Stormwater Management Committee was formed in late 2018 to discuss challenges that the County encountered during the wet weather that the region experienced in 2018-2019. He noted that the Committee discussed several stormwater-related issues and provided recommendations to address these matters including in the areas of education and outreach, policy and procedure changes, Code amendments, and fee schedule adjustments.

Mr. Givens stated that a progress report on the Commission's activities was presented to the Supervisors at their August regular meeting which included proposed amendments to the County's Erosion and Sediment Control Ordinance. He noted that these amendments include revisions to the definitions of "Agreement in lieu of a plan" and "Land disturbing activity"; to require a yard surety before a certificate of occupancy will be issued for single family residential projects if the yard is not established and stabilized; to require an Agreement in lieu of a Plan and plot plan on single family residential construction sites that disturb more than 10,000 square feet of land; and to require single family residential projects with drainage structures located within drainage easements or VDoT rights-of-way to submit a drainage plan to verify capacity/adequacy of the drainage structures.

Mr. Givens noted that these amendments have been advertised for a public hearing at today's meeting.

After questioning by Mr. Martin, Mr. Givens stated that these proposed amendments will impact any single-family residential construction sites. Mr. Givens noted that the yard surety provisions are for new residential construction projects that are complete during the months when weather does not permit grass to grow and the homeowners wish to obtain a certificate of occupancy.

Mr. Givens then gave a PowerPoint presentation to further explain these proposed amendments. He stated that these Code amendments also require commercial projects to submit an "Agreement in lieu of a plan" for sites that are between 2,500 and 10,000 square feet in size.

Mr. Clinton then stated that he has reviewed these proposed amendments several times and questioned if a flowchart could be developed to show the entire stormwater management permit application process.

Mr. Givens stated that this flowchart could be created for handout to residential and commercial building contractors when they submit applications for building permits and copies could be provided for the Board members as well.

After questioning by Mr. Clinton, Mr. Givens stated that a responsible land disturber (RLD) is a grading contractor certified by the Virginia Department of Environmental Quality through an on-line course to conduct land disturbing work. He noted that the RLD is the person on the construction site that the County can contact when there are stormwater management/erosion-related issues.

The Board thanked Mr. Givens for his presentation.

After questioning, 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 approved the attached amendments to Chapter 10. Erosion and Sediment Control; Stormwater Management of the Botetourt County Code based on recommendations from the 2019 Stormwater Committee report. (Resolution Number 20-09-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 4:04 P. M.

Mr. Jim Whitten, Project Manager, then gave an update on the Colonial Elementary School construction project. Mr. Whitten presented the Board with two exterior photographs of the site. He noted that the left-hand side of photo #1 shows the classrooms in grades 3 through 5. Mr. Whitten noted that this section is almost complete--the rooms have been painted, HVAC and sprinkler systems installed, and the bathroom floor tile is ready to be placed.

Mr. Whitten stated that the section for pre-kindergarten through second grade is almost to the same completion level as the grades 3 through 5 area. He noted that all exterior walls have been bricked and the rear parking lot to be used by school buses has been paved.

Mr. Whitten stated that photo #2 shows the front of the building. He noted that the yellow-colored building should have its brick work completed in approximately a week. Mr. Whitten stated that the administration area has walls and HVAC installed and most of the school has received at least one coat of paint. Mr. Whitten stated that the area to the right in the photo is the kitchen which almost has its electrical and plumbing work completed.

After discussion, Mr. Whitten stated that grading still needs to be completed at the front of the building. He noted that the natural gas meter was installed today and AEP connected

the electrical service approximately 3 weeks ago. Mr. Whitten stated that the septic system, which consists of 5 large tanks, is being installed along with 24" of sand on the drainfield area. He further stated that Murray Drive has been widened and the stone base layer installed.

Mr. Whitten noted that finish work is being completed on the inside of the building, including laying floor tiles and installing cabinets and bookcases in the classrooms. He stated that the project is looking very good.

After questioning by Mr. Martin, Mr. Whitten stated that the gas meter was connected today and they are ready to turn on the natural gas service to the building at any time.

After questioning by Mr. Clinton regarding the percentage of change order costs, Mr. Whitten stated that there has been a total of \$202,000 in change orders approved on this project to date. He noted that \$125,000 of these costs were on the County's side due to changes in the roof on two classroom sections and the installation of sprinklers in the attic. He noted that there was also a \$290,000 deduction in project costs and \$80,000 in change orders on G&H Contracting's part. Mr. Whitten further noted that change orders in the amount of \$26,000 for the use of a less expensive floor tile glue were approved yesterday.

After questioning by Mr. Clinton on the percentage of change orders compared to the total cost of the project, Mr. Whitten noted that the change orders to date total \$80,000.

Mr. Tony Zerrilla, Director of Finance, stated that this equates to 6/10 of 1% of the total contract price.

Mr. Whitten stated that the County is very lucky to have such a good contractor for this project.

Dr. Scothorn thanked Mr. Whitten for the time he has put into this project. He noted that Mr. Whitten has saved the County a lot of money on this project.

Mr. Sloan also thanked Mr. Whitten for his work.

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

Consideration was then held on employee health insurance renewals. Mr. David Moorman, Deputy County Administrator, stated that the County employee health benefits plan year begins on December 1, 2020. He noted that these plans include a partially self-funded medical plan, two domestic travel networks, self-funded prescription drug and dental plans, a vision plan, a wellness program, and an Employee Assistance Program (EAP).

He noted that the County's benefits consulting firm, One Digital, obtained renewal proposals on the open market and Ms. Cindy Bartolacci is present virtually to provide an overview of the proposals and their recommendations for the new plan year.

Ms. Bartolacci then reviewed the plan proposals. She noted that the County's medical benefits are with MedCost, its reinsurance coverage is with Berkley, and the prescription drug program is through Kroger. She noted that the initial medical renewal rate was an increase of 1.8% for the new plan year, which included one historical laser at \$200,000 which was negotiated to \$182,500.

Ms. Bartolacci stated that her firm conducted a market RFP study with 8 vendors and was able to obtain competitive proposals at a flat renewal rate from MedCost/Berkley and Kroger. She further stated that they negotiated two-year administration fees with MedCost at the current rate with the third-year fees to increase 50¢ per employee and negotiated a proposed 12% increase in the reinsurance renewal rate down to a 1% increase. Ms. Bartolacci

stated, therefore, that she is recommending that the County maintain the current health insurance rates for the new plan year.

Regarding the County's prescription drug plan, she stated that through negotiations they were able to reduce the renewal proposal by \$113,000.

Ms. Bartolacci stated that the County pays 85% of the employees' medical insurance premium rates. She noted that no changes to the rates paid by the employees are proposed in the new plan year. Ms. Bartolacci stated that medical claims decreased 8% (\$374,000) in the current plan year and drug claims decreased by \$107,000. She noted that six large claims totaling \$926,037 were paid in the prior year, five large claims totaling \$615,278 are being paid in the current plan year, and two of the large claimants (\$384,000) are no longer on the plan.

Regarding the dental insurance plan, Ms. Bartolacci stated that her firm issued a RFP for third party administration services and Delta Dental submitted the most competitive proposal. She noted that, as Delta receives substantial discounts through their networks, the expected claims will be reduced under the new plan by approximately 30%.

Regarding the vision, EAP, and New World Travel plans, Ms. Bartolacci stated that there are no rate changes proposed with EyeMed Vision or through the EAP program sponsored by Anthem. She noted that New World Travel has closed and her firm is looking for other programs/companies to handle this service.

Ms. Bartolacci then reviewed the proposed health plan renewal recommendations: renew the administrative services contract with MedCost with the option to renew for a second year with no rate increase and the option for a third year renewal including an increase in the network fee from \$5.50/employee to \$7.00/employee; renew the COBRA administrative services with MedCost at no change in rates; maintain the current spousal surcharge at \$300; maintain the current tobacco surcharge at 50% of coverage tier; maintain the current retiree rates; renew with Berkley Reinsurance with one laser at \$182,500; maintain the current medical plan budget of \$3,447,310 including reinsurance and pharmacy programs; renew the pharmacy program with Kroger; approve a contract for dental services with Delta Dental at the current employee contribution rates; renew with EyeMed, and renew the EAP with Anthem.

Mr. Moorman noted that the County also has a volunteer wellness plan for the employees which includes an annual physical, an on-line health risk assessment, and educational health seminars. He noted that, if an employee completes all of these programs, they can receive up to \$400. Mr. Moorman further noted that employees are reimbursed \$25/month for attending a fitness club and may receive tobacco cessation services free of charge.

After discussion, Dr. Bailey stated that it is satisfying that we have the same costs being proposed in the new plan year.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board authorized the award of employee group health insurance plans, benefits, and premiums as recommended to MedCost Benefit Plans, Berkley Reinsurance, Kroger Prescription Plans, EyeMed Vision Care, and Delta Dental effective December 1, 2020, authorized the continuation of the County's wellness and Employee Assistance Plan, and authorized the County staff to execute all necessary instruments upon the review and approval of the County Attorney. (Resolution Number 20-09-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A staff update on the Apex Rocky Forge wind project was then given. Mrs. Nicole Pendleton, Director of Community Development, stated that her office has not yet received any subdivision, site plan, or building permit applications for the Rocky Forge project. She noted, however, that Mr. Charlie Johnson with Apex contacted her yesterday to schedule a meeting to discuss the site plan submission process.

After questioning by Mr. Clinton, Mrs. Pendleton stated that site plan approval has to be obtained from the County by May 26, 2021, for the project to remain in compliance with the revised conditions approved earlier this year by the Board of Supervisors.

Consideration was then held on various appointments.

On motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board reappointed Mr. John Kilby and Mr. Jeff Emry to the Economic Development Authority for four year terms to expire on November 1, 2024. (Resolution Number 20-09-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Ms. Dawn Wright as the Health Department's representative on the Community Policy and Management Team for a two year term to expire on September 1, 2022. (Resolution Number 20-09-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Clinton then gave an update report on the Monuments and Memorials Committee (formerly identified as the Social Justice Committee). Mr. Clinton stated that the Committee held their first meeting last week which was well attended. He noted that the ground rules were set and the Committee decided that they would approach their task on the basis of tangible knowledge. Mr. Clinton stated that they will begin their work through a research and historical knowledge standpoint.

Mr. Clinton noted that the Committee formed three working groups: Historical, Educational System, and Veterans of Civil War and Descendants of Enslaved Persons. He noted that, in order to complete all of the work necessary, the Committee will need to meet more than once a month. He noted that a virtual meeting is scheduled for Thursday and in-person meetings will be held monthly.

After discussion, Mr. Clinton stated that, with the end of year holiday schedules, they are now proposing that their final report be submitted at the Board of Supervisors' January 2021 regular meeting.

After questioning by Dr. Bailey, Mr. Clinton stated that there were approximately 6 members of the public who attended the first meeting; several of which made public statements and he has received several citizen telephone calls as well.

Mr. Martin thanked Mr. Clinton for providing this update. He noted that Mr. Clinton is doing an outstanding job on this Committee and the Board appreciates his work.

Dr. Bailey then gave an update on the CARES Act Committee. Dr. Bailey stated that, as reported earlier today by Mr. Tony Zerrilla, Director of Finance, the County has received two disbursements of \$2.9 million each in federal CARES Act funds. He noted that there are federal guidelines on the use of these funds for only pandemic-related expenses and would request that the County Attorney inform the Board of these regulations at this time.

Mr. Mike Lockaby, County Attorney, stated that one of the biggest issues that the County has had with determining how to spend these funds is that Congress' description on what the funds can be used for is vague and the U. S. Department of Treasury only issued a guidance document instead of specific regulations on the expenditure of these funds. He noted that, to further confuse the issue, some of this federal guidance has changed over the past few months or different answers have been given by different Treasury Department officials on the same question.

Mr. Lockaby noted that localities with a population of less than 500,000 received these funds directly from the State Treasurer instead of the U. S. Department of Treasury. He stated that most recently the U. S. Office of the Inspector General has issued guidance on these funds' expenditure. He noted that the County has gone over and above what it has to do to ensure that these funds are being spent correctly and he thanked Mr. Zerrilla for his efforts in this regard.

Dr. Bailey stated that "nothing is free" and a lot of time and effort has been put in by County staff and the CARES Act Committee to find suitable, qualifying projects on which to spend these monies. He noted that further complicating this process is that these funds must be spent by December 30, 2020.

Dr. Bailey then reviewed the Committee's recommendations for the use of these funds. He noted that approximately 48% (\$2.8 million) of the total expenditure will be for broadband expansion projects. He stated that the County considers broadband expansion a top priority and is facilitating the use of these funds by various broadband providers. Dr. Bailey stated that approximately 17.2% (\$1 million) is being used for education/school-related expenses including the purchase of additional school buses, Chromebooks for all fifth through twelfth grade students, and air purification systems for the schools. He noted that 13.5% will be used for workforce and public safety expenditures including the expansion/renovation of the Voter Registrar's office space, 9% (\$518,000) of the funds will be used for Small Business and Agricultural Farm operations grant awards, and the remaining funds will be used as contingency monies to balance the requests for matching funding.

Dr. Bailey stated that approximately 20 farm grant applications have been received by the Economic Development Office as of this time. He noted that the Towns of Buchanan, Fincastle, and Troutville will also receive CARES Act funds which will be used to purchase personal protective equipment and cleaning equipment.

After discussion, Dr. Bailey stated that allocation/expenditure of these funds is a fluid process and the projects that are allowed to be funded can be adjusted each time the federal regulations are revised. He noted that the Committee and staff are trying to be very prudent on how this process is handled.

Mr. Larrowe stated that the contingency monies are also available for use on projects that may exceed their estimated cost. He reiterated Dr. Bailey's comment that expenditure of these monies is a fluid working document until the funds are actually spent. Mr. Larrowe stated that, in the current work-from-home and at-home classroom situation, it is prudent to have almost 50% of these federal funds be used for broadband expansion and to help the schools with the virtual learning classroom process. He noted that the Committee has done very good work in this situation.

Dr. Scothorn noted that \$518,000 of these CARES Act funds are being used to provide grants to the County's small businesses and agricultural operations impacted by the pandemic.

Mr. Ken McFadyen, Economic Development Director, stated that he and his staff are available to help any applicants who do not have internet access in completing their grant application paperwork. He noted that they have helped 2 – 3 farmers complete this application process as of this time and plan to schedule a full day in the next few weeks when farmers can come to the Education and Training Center for assistance in completing these applications.

After discussion by Mr. Larrowe, Mr. McFadyen stated that he is drafting a mass mailing containing information on the agricultural grant application program to be sent to all of the County's farmers on the Cooperative Extension Service's mailing list. Mr. McFadyen stated that toward that effort he would like to request the Board's approval in extending the grant application deadline for both the Small Business and Farm Operation grant programs from September 30 until October 16, 2020.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved an extension of the deadline for receipt of applications for the COVID-19 Small Business Incentive and Farm Operation Grant Programs until October 16, 2020. (Resolution Number 20-09-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Martin thanked everyone for their work on these programs.

Dr. Scothorn then gave an update on the Broadband Committee. He noted that, with CARES Act funds, the federal government is helping the public/private sector to develop a relationship in order to extend fiber optic service to homes.

Dr. Scothorn stated that Eddy Communications conducted a citizen survey for the County 3 years ago and the top responses were the need for broadband access and affordable housing. He noted that it is estimated that 70% of the County is connected with a minimum of 25 Mbps download/3 Mbps upload speed and it was determined that the County has a significant lack of broadband service for its citizens and businesses.

Dr. Scothorn stated that the Broadband Committee was formed in 2018 and a broadband summit was held. He noted that a website was created by Ms. Sandy Terry which allowed citizens to see the availability of internet service at their residence. Dr. Scothorn further stated that Craig-Botetourt Electric Cooperative was awarded a \$785,000 Virginia Technology Initiative (VATI) grant last year and they are in the process of extending 44 miles of fiber optic broadband service in the County: Phase 1 will pass 600 homes and 52 businesses

and phase 2 will install 8 miles of additional backbone fiber to access approximately 600 homes.

Dr. Scothorn noted that, with the COVID-19 pandemic, the County faced increased pressure to provide internet connections to allow citizens to work from home and to allow students to do their schoolwork from home. He noted that the County has received a total of \$5.8 million in CARES Act funds which has to be spent by December 30, 2020, for pandemic-related expenses.

Dr. Scothorn then stated that, through the use of these federal funds, the Roanoke Valley Broadband Authority has agreed to extend fiber optic service from Greenfield to Etzler and Blacksburg roads which will pass approximately 200 homes and they will also install a wireless connection on the Greenfield water tank to improve wireless service in this general area. He noted that Lumos has indicated that they plan to extend internet service to 450 addresses from Eagle Rock to Buchanan.

Dr. Scothorn further noted that Blue Ridge Tower (BRT) plans to install wireless broadband in the vicinity of their Blue Ridge Park cell tower to reach 100 homes and a section of U. S. Route 460 in the Bonsack/Blue Ridge area. He further stated that BRT, who recently received Board approval for a cell tower at I-81 Exit 162, will provide broadband access to approximately 100 homes in that area and there will also be a reserved RAD (collocation position) for potential use for Fire/EMS/law enforcement emergency communications.

Dr. Scothorn stated that these projects total approximately 3,400 residents who should have broadband access by December 30, 2020.

After discussion, Dr. Scothorn stated that 25/3 broadband service speed is insufficient if more than 1 or 2 people are on-line in the home and fiber optic cable is needed to increase the download/upload speed. Dr. Scothorn stated that there are instances where citizens have to drive to other locations such as library or school parking lots to have reliable internet service.

He further noted that Lumos has informed the County that they plan to apply for another VATI grant to extend broadband service to approximately 600 homes in the Arcadia area.

Delegate Terry Austin then thanked Dr. Scothorn and the Broadband Committee for their assistance in working with the utility companies to expand broadband service in the County. He stated that broadband should be considered as a public utility such as electrical, telephone, and natural gas service.

Delegate Austin noted that he serves on the Joint Legislative Audit and Review Commission (JLARC) committee studying virtual learning and broadband and has discussed the topic of rural broadband availability with the Governor.

Delegate Austin stated that the County Administrator contacted him about CARES Act funding for broadband and he has discussed the issue with several State officials. He noted that good things are happening and we need to continue to expand these opportunities.

Mr. Darrell Hix, a member of the Broadband Committee, stated that it is important for the County, its citizens, and businesses to have broadband access.

Mr. Frank Smith, President of the Roanoke Valley Broadband Authority, stated that the Authority has a data center located in the Greenfield Education and Training Center. He noted that their work with the County has been a great partnership and the efforts being made by the Board to expand broadband are important.

Mr. Smith stated that the RVBA has additional service providers that are planning to use the ETC's collocation facility to expand their broadband service in the County. He thanked Mr. Larowe and his team for supporting these efforts.

Mr. Jeff Ahearn, Chief Executive Officer of Craig-Botetourt Electric Cooperative, then stated that the company has had a lot of challenges in their efforts to extend broadband service in the County including the need to establish a separate company entity for this project.

Mr. Ahearn stated that 26 miles of their 44 mile broadband project, funded with Virginia Technology Initiative (VATI) grant funds, has been completed to date, which averages 10 miles a week. He noted that challenges due to the pandemic caused delays and shutdowns early in the equipment manufacturing process for this project. Mr. Ahearn stated that he will discuss the proposed phase 2 of this broadband expansion project with his Board of Directors on Thursday night. Mr. Ahearn further stated that approximately 90% of the homes in this project area have expressed extraordinary interest in connecting to their broadband service.

Dr. Scothorn then stated that a promotional video on the County's broadband efforts would now be shown. He noted that this video would be posted on the County's website and Facebook pages.

Mr. Chris McDonald, Director of Government Relations with the Virginia Association of Counties, then presented the Board with a VACo Achievement Award for the County's broadband expansion efforts. Mr. McDonald stated that all of his meetings with localities over the past six months have been held remotely due to the pandemic and today is the first in-person meeting he has attended.

Mr. McDonald stated that VACo was founded in 1934 to promote the interest and legislative priorities of their member counties. He noted that the VACo Achievement Award program was implemented 18 years ago to recognize new ideas/programs/strategies by local governments. He noted that applications are reviewed by a 3 judge panel that this year reviewed 76 entries and chose 21 winners.

He noted that Botetourt County has won 5 of these awards over the years (2003, 2004, 2010, and 2015) and this year has won two awards for its broadband strategy and for its housing strategy. He noted that it takes a team and efforts at the local, regional, and State levels to expand broadband service to the County's citizens. Mr. McDonald stated that the County has seen great public/private partnerships with its broadband efforts and has come up with creative ideas that other localities can emulate.

Mr. McDonald then presented the award to Dr. Scothorn.

Mr. McDonald then presented the VACo Achievement Award for the County's housing strategy to Mrs. Nicole Pendleton, Director of Community Development.

Mrs. Pendleton stated that the County has previously been identified as a rural, suburban, or retirement destination and it was determined that access to a variety of housing options was needed. She stated that the County developed a housing strategy and, then in 2016, held a housing summit with various developers and officials. She noted that, from this summit, recommendations and a housing toolkit for housing goals was created.

She noted that these efforts have resulted in approximately 1,000 new housing units being approved and developed in the County and more projects are being planned. Mrs. Pendleton further noted that the Zoning Ordinance amendments pertaining to cluster development approved by the Board in May will help this effort by allowing for denser development options while maximizing greenspace.

Mr. McDonald congratulated Mrs. Pendleton and the County for receipt of this award for a job well done and thanked the Chairman for allowing him to present these awards at today's meeting.

The Board thanked Mr. McDonald for presenting these awards in person.

Consideration was then held on approval of the transfer of CARES Act funds to the EDA. Mr. Gary Larrowe, County Administrator, stated that, as previously mentioned, the County has received two CARES Act grants in the amount of \$2,915,679 each for use on COVID-19 related projects.

Mr. Larrowe stated that the CARES Act Committee has recommended that a portion of these funds be used to expand broadband service in the County. He noted that staff is recommending that the Board approve a transfer of \$786,282 in CARES Act funds to the EDA which will allocate those monies to Craig-Botetourt Electric Cooperative for phase 2 of their broadband expansion project in the County.

Mr. Larrowe noted that phase 2 will extend broadband by approximately 8 miles which will pass 72 additional homes and construct an Internet backbone which will be necessary to support an additional 600+ homes in CBEC's service area. He stated that CBEC has provided assurance that this project will be closed out by December 30, 2020, as required by the CARES Act expenditure guidelines.

There being no discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved a transfer of CARES Act funds in the amount of \$786,282 to the Botetourt Economic Development Authority (EDA) for the extension of additional broadband infrastructure by Craig-Botetourt Electric Cooperative by December 30, 2020. (Resolution Number 20-09-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a transfer of CARES Act funds to the Roanoke Valley Broadband Authority. Mr. Gary Larrowe, Botetourt County Administrator, stated that the County has received two CARES Act grants in the amount of \$2,915,679 each via the Virginia Secretary of Finance for pandemic-related expenditures.

He noted that the CARES Act Committee, consisting of Dr. Scothorn, and Dr. Bailey, is recommending that an amount not to exceed \$1,342,000 of these funds be allocated to the Roanoke Valley Broadband Authority. He noted that these funds are for a broadband extension project from the Greenfield Data Center to portions of Etzler and Blacksburg Roads and an eventual interconnection with the Craig-Botetourt Electrical Cooperative broadband project area in the western part of the County.

Mr. Larrowe stated that this project will include the extension of 6 miles of broadband fiber optic cable which will pass approximately 174 homes. He noted that this project will also build the Internet backbone necessary to support an additional 400+ homes in the service area along the route.

Mr. Larrowe further stated that this project will include the extension of fiber conduit from the International Parkway cul-de-sac to the Greenfield water tank and wireless service made available from the water tank to homes in the area.

There being no discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a transfer in an amount not to exceed \$1,342,000 in CARES Act funds to the Roanoke Valley Broadband Authority (RVBA) to manage a broadband extension project from the Greenfield Data Center to portions of Etzler and Blacksburg Roads and eventual connection to the CBEC broadband extension project by December 30, 2020, on behalf of the Board of Supervisors. (Resolution Number 20-09-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a RAD Center lease agreement with Blue Ridge Tower at I-81 Exit 162 and in the Blue Ridge area and approval of an appropriation to fund this project.

Mr. Gary Larrowe, Botetourt County Administrator, stated that the County is working to spend the CARES Act funds in a manner to maximize long-term benefits for COVID-19 relief to the County's citizens. He noted that, to work toward the expansion of broadband service in the County, the CARES Act Committee has recommended that the Board approve the use of these funds to support Blue Ridge Tower (BRT) in their deployment of wireless broadband on their new cell tower located at Exit 162 south of Buchanan and for wireless internet services to the area around BRT's tower located in Blue Ridge Park. He stated that BRT has provided assurance that these projects will be closed out by December 30, 2020, as per the CARES Act expenditure requirements.

Mr. Larrowe stated that a draft lease agreement for the Exit 162 cell tower for a period of 10 years and ten months was included in the Board's information packet. He noted that this lease states that the tower will have no fewer than four co-location positions (RAD centers) with RAD Centers 1 and 2 to be used by commercial lessees, RAD Center 4 will be leased to the County, and RAD Center 3 will be leased to BriscNet, a subsidiary of BRT, who will provide wireless Internet services in the Exit 162 area.

Mr. Larrowe stated that there may be a County Emergency Services antenna located on this tower (RAD 4) at a rental amount of \$78,000 for the first 130 months of the lease agreement. He noted that \$40,000 in CARES Act monies will be used to pay this lease agreement along with an additional appropriation of \$38,000 from the County. He noted that the lease payments are dependent upon BRT meeting certain performance milestones.

He requested that the Board approve this transfer, appropriation, and the lease agreement with BRT.

Dr. Scothorn thanked the County Attorney for drafting this lease agreement.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved a transfer in the amount of \$40,000 in CARES Act funds to Blue Ridge Tower (BRISNET), approved an additional appropriation in the amount of \$38,000 from Fire and EMS-Lease/Rent of Equipment, 100-4035500-35500-5410-000, for a total of \$78,000 to support the RAD Center lease agreement, under the conditions that payments will be made to Blue Ridge Tower/BRISNET based upon specific performance parameters as listed in the proposed lease, and authorized the County Administrator to sign the lease agreement for space on the I-81 Exit 162 cell tower on the County's behalf. (Resolution Number 20-09-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Cody Sexton, Assistant to the County Administrator, then requested that the Board approve a proclamation declaring October 5 – 11, 2020, as Broadband Week and National Digital Inclusion Week in Botetourt County. He then read the proclamation.

On motion by Dr. Bailey, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the following proclamation declaring October 5 – 11, 2020, as Broadband Week and National Digital Inclusion Week in Botetourt County.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution number 20-09-16

WHEREAS, the Botetourt County Board of Supervisors and the Broadband Commission are committed to advocating for the broadband connectivity of its citizens and businesses; and,

WHEREAS, high-speed internet connectivity is critical to the way Botetourt County residents and businesses work, learn, and interact; and,

WHEREAS, the COVID-19 pandemic has highlighted the increased need for broadband as Botetourt County's residents seek telehealth, telemedicine, remote education and telework opportunities, and stay in touch with friends and family; and,

WHEREAS, the Board and Commission have made the expansion of fiber-to-the-home and other broadband infrastructure a priority throughout the County; and,

WHEREAS, the Board and Commission have also worked with broadband providers for ways to provide more affordable access to broadband and remove barriers to broadband adoption to help close the digital divide; and,

WHEREAS, the County wishes to recognize its successes with broadband expansion and highlight the next steps in the goal of broadband providers eventually connecting 100% of homes and businesses in the County to broadband; and,

NOW, THEREFORE, I, Billy W. Martin, Sr., Chairman of the Botetourt County Board of Supervisors, do hereby proclaim the week of October 5 - 11, 2020, as *Broadband Week* and *National Digital Inclusion Week* in Botetourt County and recommend these observances to all County citizens.

There being no further discussion, the Chairman then adjourned the meeting at 5:50 P. M. until the 6PM public hearing.

The Chairman called the meeting back to order at 6:19 P. M.

A public hearing was then held on a request in the Buchanan Magisterial District from F. Wayne Graves, Jr., to rezone 1.91 acres from the Agricultural (A-1) Use District to the Business (B-1) Use District, with possible proffered conditions, in accordance with Section 25-581. Zoning Map Amendment-Owner Initiated, with a Special Exception Permit, with possible conditions, for a reduction in minimum district size in accordance with Section 25-583. Special Exceptions of the Botetourt County Zoning Ordinance for business uses on a site located at 20976 Lee Highway, Buchanan, and identified on the Real Property Identification Maps of Botetourt County as Section 52, Parcel 39.

It was noted that the Planning Commission had recommended approval of the rezoning request and conditional approval of the SEP.

Mr. Drew Pearson, County Planner, stated that Mr. Graves is proposing to rezone this 1.91 acre lot for business purposes. He then reviewed the zoning maps of this area and noted that the property consists of an office building which was used for many years as a fueling company, a parking lot, and metal stands with concrete bases which previously held large fuel storage tanks. He noted that a fueling business operated on the site from 1957 until 2012.

Mr. Pearson noted that the owner has attempted to sell the property for several years with no success and is requesting to rezone the property to Business B-1 to make it more marketable. He stated that the property is located within the floodplain which limits its development.

Mr. Pearson, in reviewing the adjacent properties' uses, noted that there is one single family dwelling in the immediate area as well as several other non-residential uses including a mini-warehouse storage facility. He then reviewed photographs of the site and noted that the owner has no specific plans for the building at this time.

Mr. Pearson noted that this request consists of two items to be considered by the Board—a rezoning, and a Special Exception Permit. He noted that there are no proffered conditions proposed with the rezoning request and reviewed suggested conditions for the SEP as follows: "Overnight outdoor storage of any goods, materials and/or vehicles associated with any permitted or special exception use shall be prohibited; The property owner shall obtain any necessary approvals and cause the removal of the fueling platform and concrete stands that held the above-ground fuel tanks within twelve (12) months from the approval of the special exception of the reduction in district size."

Mr. Pearson stated that the recommended condition requiring removal of the fueling platform and concrete stands would be good for marketing the property since another oil company would not be allowed to locate in the proposed B-1 zoning district. He also noted that the staff received an e-mail from an adjacent property owner who is in favor of these requests.

After questioning by Mr. Sloan, Mr. Pearson stated that this e-mail was from Mr. and Mrs. William Stinnett.

After further questioning by Mr. Sloan, Mr. Wayne Graves, applicant, stated that his father began this fuel business in 1967.

Mr. Pearson noted that the original fuel business was begun in 1957 and Mr. Graves, Sr., purchased the business in 1967.

After questioning by Dr. Bailey, Mr. Graves stated that he is "not really" comfortable with the SEP's proposed second condition regarding removal of the fueling platform/concrete stands.

After questioning by Mr. Sloan, Mr. Pearson stated that this condition will help the aesthetics of the property by having it cleaned up prior to sale. After further questioning by Mr. Sloan, Mr. Pearson stated that the property's owner of record in 12 months would be responsible for removing the fueling platform/stands.

Mr. Sloan stated that, if the Board approves this request with these two suggested conditions and Mr. Graves does not sell the property within 12 months, then Mr. Graves would be the person responsible for removing these platforms/stands. Mr. Pearson stated that this is correct.

Dr. Bailey stated that it is the Board's responsibility to approve this rezoning request if it is appropriate. He noted that condition #1 makes sense to him but condition #2 does not.

Dr. Scothorn suggested that the second condition be removed from consideration.

Mr. Graves then questioned if overnight parking of a work-type vehicle would be permitted outside of the floodplain on this property if the request is approved. He noted that any potential new business owner may want to park a company vehicle overnight on the property.

Mr. Pearson noted that there is a significant stream at the rear of the improvements located on the property and the existing improvements were mostly located in the regulatory floodplain which is the reason for the condition to prohibit overnight, outdoor storage.

After questioning by Dr. Bailey, Mr. Pearson stated that it is best to not park or store items in the floodplain in the event that flooding occurs at night.

After further discussion, Mr. Sloan suggested that the first condition be amended to add "within the floodplain" as follows, "Overnight outdoor storage within the floodplain of any goods, materials and/or vehicles associated with any permitted or special exception use shall be prohibited."

Mr. Graves noted that floodwater has never entered this building even during the severe 1985 flood.

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

There being no further discussion, on motion by Mr. Sloan, seconded by Dr. Scothorn, 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 20-09-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

F. WAYNE GRAVES, JR.

In the Buchanan Magisterial District to rezone 1.91 acres from the Agricultural (A-1) Use District to the Business (B-1) Use District in accordance with Section 25-581. Zoning Map Amendment-Owner Initiated, for business uses on a site located at 20976 Lee Highway, Buchanan, and identified on the Real Property Identification Maps of Botetourt County as Section 52, Parcel 39.

On motion by Mr. Sloan, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved a request in the Buchanan Magisterial District from F. Wayne Graves, Jr., for a Special Exception Permit for a reduction in minimum district size in accordance with Section 25-583. Special Exceptions of the Botetourt County Zoning Ordinance for business uses on a site located at 20976 Lee Highway, Buchanan, and identified on the Real Property Identification Maps of Botetourt County as Section 52, Parcel 39, with the following condition: (Resolution Number 20-09-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. Overnight outdoor storage within the floodplain of any goods, materials and/or vehicles associated with any permitted or special exception use shall be prohibited.

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