

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, October 22, 2019, in Room 212 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:30 P. M.

PRESENT: Members: Mr. Billy W. Martin, Sr., Chairman
Dr. Donald M. Scothorn, Vice-Chairman
Mr. Steve Clinton
Mr. I. Ray Sloan
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 12:30 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 Blue Ridge District; Section 2.2-3711.A. 5, Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community namely in the Amsterdam (Greenfield) District; Section 2.2-3711.A. 6, Discussion on the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected regarding an economic development project through the Economic Development Authority; Section 2.2-3711.A. 8, Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring legal advice regarding economic development incentives for a facility located in the Amsterdam (Greenfield) District. (Resolution Number 19-10-01)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:05 P. M. and welcomed everyone to 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 19-10-02)

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.

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

Mr. Martin then asked for a moment of silence.

Mr. Jim Farmer, Director of Recreation and Facilities, then introduced Ms. Lisa Broyles to the Board. He noted that she had previously been a part-time administrative assistant in his office and was recently hired as a full-time employee. He noted that she has a background in higher education, 20 years of experience in administration, and her duties include daily interactions with the public.

Mr. Martin welcomed Ms. Broyles to the County and thanked her for the work that she is doing for the County.

Ms. Julie Phillips then introduced Ms. Laura Lewis to the Board. She noted that Ms. Lewis was hired as a Library Assistant at Eagle Rock and has a Master's degree in Library and Information Science from Rutgers University and a Bachelor of Arts degree in Art History from Virginia Commonwealth University. Ms. Phillips stated that Ms. Lewis was formerly the branch manager at the Raleigh Court Library in Roanoke City.

Mr. Martin welcomed Ms. Lewis to employment with Botetourt County and expressed his appreciation with her coming to work for the County.

Chief of Fire and EMS Jason Ferguson then introduced Mr. Justin Schmidt to the Board. He noted that Mr. Schmidt completed training at the Roanoke Regional Fire and EMS Academy on Friday and today is his first day on the job. Chief Ferguson stated that Mr. Schmidt was hired in August and spent the last 3 months attending the Academy. He noted that Mr. Schmidt is originally from Salem and currently lives in Roanoke County.

Mr. Martin stated that the County is glad to have him as an employee and welcomed him to the County.

The public comment period was then held.

Mr. Martin noted that, at the last Board meeting, which he did not attend, the issue of allowing the Board to receive petitions requesting the creation of Community Development Authorities was discussed. Mr. Martin noted that he had requested that the issue be tabled; however, the issue was discussed by staff and the other Board members at the September meeting but no formal action was taken. He stated that the public hearing was cancelled—no public hearing was held.

Mr. Terry Williams of Davis Road in Blue Ridge then spoke to the Board regarding broadband and the CDA. Mr. Williams stated that he was informed about the proposed CDA ordinance amendment by a friend. Mr. Williams noted that he researched the issue and visited the County website to obtain further information. Mr. Williams stated that he does not think that a group of people “with a bunch of money” should be able to come in and draw a circle around an area to create a CDA. He further stated that having a proposed requirement of only 51% of the property owners within that circle sign needed to sign the petition requesting the CDA is unfair. He noted that only requiring 51% of the property owner's signatures on the petition, which would result in increasing the taxes on all of the property owners, is not appropriate.

Mr. Williams, who noted that he was a subdivision developer in the County, stated that he has looked into the history of CDAs, which were allowed by the General Assembly in the 1990s. Mr. Williams stated that CDAs should be similar to homeowners associations with a 100% participation rate so that individuals buying property within the CDA know in advance what will occur within that area.

Regarding broadband, Mr. Williams stated that there are approximately 100 homes on his street. He noted that there are big hurdles to broadband service being provided to this area including cost. Mr. Williams stated that it would cost as much or more to install cable in this development as the cost of all of the other utilities (water/sewer/electrical) combined. He noted that electrical utilities have designated service areas and they are required to provide service to their customers within that area and it should be the same for broadband/cable providers.

He noted that access to the internet is a necessity today for businesses and citizens, as well as school students so that they are able to do their homework.

There being no further discussion, Mr. Martin, thanked Mr. Williams for sharing this information.

Consideration was then held on the consent agenda items. Mr. Martin stated that he would like to pull items #5 (Approval of the voting delegate/alternate for the VACo annual meeting) and #6 (Ratification of the enactment of a burn ban in the County) from the consent agenda for further discussion by the Board.

On motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 19-10-03)

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 September 24, 2019;

Approval of the following resolution asking Congress to pass legislation addressing needed repairs to the Blue Ridge Parkway and the National Park System:

WHEREAS, the 469-mile Blue Ridge Parkway joins the Shenandoah National Park in Virginia with the Great Smoky Mountains National Park in North Carolina; and

WHEREAS, the Blue Ridge Parkway incorporates spectacular views of forested mountains and rural landscapes, offering visitors abundant recreational opportunities, a glimpse into the cultural heritage of the Blue Ridge Mountains, and a special place where memories are made serving as a living classroom for future generations; and

WHEREAS, the Blue Ridge Parkway is one of the most visited units in the National Park System, attracting over 14 million visitors annually, serving as a front door to the many communities along its corridor; and

WHEREAS, the economic impact on gateway communities from visitors to the Blue Ridge Parkway is over \$1.3 billion annually, supporting over 15,000 jobs; and

WHEREAS, the Blue Ridge Parkway for decades has been the number one attraction for Virginia's Blue Ridge; and

WHEREAS, the fall season is one of the most popular times to travel the Blue Ridge Parkway; where 65,000 visitors were recorded in October 2018 alone at Route 460 and Route 24 and 636,000 visits were recorded in 2018 comprised of a large number of local, national, and international visitors; and

WHEREAS, one indefinite road closure is now also adversely impacting the visitor experience, the Roanoke Mountain 4 Mile Loop Road at Milepost 120; and

WHEREAS, in an effort to take temporary proactive measures, Visit Virginia's Blue Ridge is assisting with detour information including detailed directions, a list of businesses along the detour route as well as designating a detour landing page at www.visitvbr.com/parkwayclosure; and

WHEREAS, while Blue Ridge Parkway officials are currently working to identify funding and a plan for these repairs, this closure is symptomatic of a larger deferred maintenance issue across the Parkway; and

WHEREAS, deferred maintenance in the National Park System equates to long overdue repairs or maintenance needed on roads, buildings, and facilities due to budget constraints; and the deferred maintenance backlog in National Parks across the country totals \$11.92 billion, of which over \$508 million is needed on the Blue Ridge Parkway alone; and

WHEREAS the Blue Ridge Parkway is important to the economic vitality of both the Commonwealth of Virginia and the communities adjacent to the Parkway.

NOW, THEREFORE, BE IT RESOLVED that the Botetourt County Board of Supervisors requests Congress pass the bi-partisan Restore Our Parks Act, S. 500 and H. R. 1225, to address critical repairs on the Blue Ridge Parkway and across the National Park System, and to ensure that the communities, businesses, and jobs that depend on park tourism continue to thrive.

Concurrence with a resolution of appreciation regarding Gary Robertson's retirement from the Western Virginia Water Authority; and

Approval of the following resolution requesting an Agriculture Disaster Declaration:

WHEREAS, there continues to be dry conditions throughout the fall of 2019 in Botetourt County, Virginia, which have caused widespread, substantial grass, grazing land, and tree fruit crop damage; and,

WHEREAS, unseasonably high temperatures are accelerating the effects of the rainfall deficit; and,

WHEREAS, livestock water resources are declining; and,

WHEREAS, the lack of sufficient pasture has required farmers to use winter feed reserves; and,

WHEREAS, there does not appear to be any significant relief in the foreseeable future; and,

WHEREAS, these conditions have and continue to cause financial loss to the farmers in Botetourt County;

NOW, THEREFORE BE IT RESOLVED, that the Botetourt County Board of Supervisors hereby petitions the Honorable Ralph Northam, Governor of the Commonwealth of Virginia, to declare Botetourt County a disaster area in order to provide the means for those affected to qualify for some relief assistance.

Consideration was then held on approval of the voting delegate/alternate for the VACo annual meeting in November. It was noted that Dr. Scothorn, Dr. Bailey, and Mr. Sloan plan to attend the Virginia Association of Counties annual meeting next month and the Board has been asked to designate a voting delegate and alternate for the group's business meeting.

On motion by Mr. Sloan, seconded by Dr. Bailey, and carried by the following recorded vote, the Board appointed Dr. Donald Scothorn as the County's voting delegate for the VACo annual meeting. (Resolution Number 19-10-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board appointed Mr. Ray Sloan as the County's alternate voting delegate for the VACo annual meeting. (Resolution Number 19-10-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on ratification of the enactment of a burn ban in the County. It was noted that the County Administrator, who is also the Director of Emergency Management, had declared a burn ban in the County on October 11 due to the recent extended period of dry weather. It was further noted that Section 44.146.21 of the Code of Virginia requires that the Supervisors ratify this declaration within 14 days of its issuance.

On motion by Mr. Clinton, seconded by Mr. Bailey, and carried by the following recorded vote, the Board adopted the following resolution ratifying the October 11, 2019, open burn ban declaration. (Resolution Number 19-10-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

WHEREAS, the Board of Supervisors of the County of Botetourt, Virginia, does hereby find as follows:

1. That due to the recent, long-term lack of precipitation and the potential for wildfires in Botetourt County, the County of Botetourt faced a condition of extreme peril to the lives, safety, and property of the residents of and visitors to Botetourt County;
2. That the Director of Disaster and Emergency Management deemed that a state of emergency existed at 11:30 A. M. on October 11, 2019;
3. That as a result of this extreme peril, the proclamation of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril;
4. That a State of Emergency was subsequently declared in accordance with Code of Virginia Section 44-146.21;
5. That a Board of Supervisors ratification of the declaration is required;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Botetourt, Virginia, that a local emergency exists throughout the County of Botetourt, and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency, the powers, functions, and duties of the Director of Disaster and Emergency Management and the Emergency Services organization and functions of the County of Botetourt were/are those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Botetourt were implemented in order to mitigate the effects of said emergency, and,

That the County Administrator undertake all possible efforts required in an attempt to recover any emergency-related local expenditures from the Commonwealth of Virginia, the Federal Emergency Management Agency (FEMA), or any available, non-local source.

Mr. Larrowe then stated that, due to the rainfall received over the past week, he is now requesting that the Supervisors lift the burn ban.

On motion by Dr. Scothorn, seconded by Mr. Clinton, and carried by the following recorded vote, the Board lifted the ban on open burning in the County as of this date. (Resolution Number 19-10-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on an amendment to the FY 20 County budget regarding rollover of unexpended funds from the FY 19 budget. Mr. Tony Zerrilla, Director of Finance, stated that the Code of Virginia requires that a public hearing be held on any amendment to the fiscal year budget which is larger than 1% of the approved, original budget allocation.

Mr. Zerrilla stated that the County staff and the General Fund Budget Subcommittee reviewed the departmental and Capital Improvement Plan (CIP) requests for rollover of funds from the FY 19 budget into the FY 20 budget. He noted that the Board is being requested to approve the reappropriation of \$2.3 million--\$1.3 million in operational budget funds and \$1 million in CIP funds--at this time.

Mr. Zerrilla stated that the operational rollover requests include the public safety, public works, and community development departments, along with \$724,936 in transferred funds to the Economic Development Authority, \$144,641 for employee salary adjustments; \$94,909 for the purchase of self-contained breathing apparatus for the Fire and EMS Department; and \$45,000 for the installation of fire/rescue-related traffic signage in Blue Ridge.

He noted that the CIP reappropriation requests included \$120,743 for tax software purchases; \$239,984 for the radio system replacement program, portable radio upgrades, and the mobile radio replacement program; and \$170,977 for the Greenfield ETC's mobile classrooms.

Mr. Zerrilla stated that \$2.5 million in unspent FY 19 budgeted funds will revert to the General Fund.

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

Mr. Clinton stated that the staff and General Fund Budget Subcommittee, of which he is a member, gave a very thorough review of the departmental/CIP reappropriation requests. Mr. Clinton stated that he is satisfied with the listing submitted to the Board for approval.

There being no further discussion, on motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the attached listing of reappropriation requests totaling \$2,254,457 for FY 20 projects that were not completed in FY 19. (Resolution Number 19-10-08)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of Transfers and Additional Appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there were 2 transfers, 12 pass-through appropriations, and two regular appropriations for the Board's consideration. He noted that these are for receipt of expenditure reimbursements, donations, miscellaneous fees, and insurance proceeds. Mr. Zerrilla stated that the two regular appropriations are for the broadband grant for Craig-Botetourt Electric Cooperative and work performed on the West Center Drive construction project in Greenfield.

There being no discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations. (Resolution Number 19-10-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$1,408.03 to Sheriff's Department - Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from various departments as follows for vehicle repairs at the County Garage:

\$ 16.43	Dep. Co. Admin-Rep. & Maint. –Veh., 100-4012120-12120-3312
\$ 93.24	Comm. Dev. - Rep. & Maint. – Veh., 100-4081200-81200-3312
\$282.96	Animal Cont. – Veh. & Power Suppl., 100-4035100-35100-6009
\$ 38.95	Co. Admin. – Rep. & Maint – Veh., 100-4012110-12110-3312
\$142.83	Maintenance –Rep. & Maint.–Veh., 100-4043000-43000-3312
\$ 60.60	Fire & EMS – Rep. & Maint.–Veh., 100-4035500-35500-3312
\$145.41	Library - Rep. & Maint.–Veh., 100-4073100-73100-3312
\$ 81.08	Rec. & Facil. – Veh. & Power Supp., 100-4071100-71100-6009
\$ 37.33	Van Program – Rep. & Maint. – Veh., 100-4071500-71500-3312
\$ 16.43	Eco. Dev. – Rep. & Maint. – Vehicles, 100-4081500-81500-3312
\$492.77	Purchasing- Rep. & Maint. – Vehicles, 100-4012530-12530-3312

Transfer budgeted funds of \$71,156.00 from Correction & Detention, 100-4033100-33100, to Sheriff's Department, 100-4031200-31200. This transfer from an open Jail position will provide for the hiring of a road deputy.

Additional appropriation in the amount of \$1,000.00 to Fire & EMS – Other Operating Supplies, 100-4035500-35500-6014. These are funds received offsetting the use of HazMat resources and receipt of a donation.

Additional appropriation in the amount of \$435.00 to Fire & EMS – Capital Outlay – Other Capital, 100-4035500-35500-8012. These are funds received as contributions from Tap House and Tizzone restaurants.

Additional appropriation in the amount of \$135.94 to Fire & EMS – Troutville Fire Dept. – Repair & Maintenance – Wagon, 100-4035500-35520-3312-036. This is for an insurance receipt for apparatus repairs.

Additional appropriation in the amount of \$727.49 to Recreation & Facilities – Repair & Maintenance - Buildings, 100-4071100-71100-3313. These are insurance funds received for repair costs for a backstop damaged during a wind event.

Additional appropriation in the amount of \$1,481.80 to Waste Management – Salaries and Wages – Regular, 100-4042400-42400-1100. These are reimbursed costs received from County Waste for wages and fringe benefits supporting their operation of the landfill.

Additional appropriation in the amount of \$2,329.32 to the following Correction & Detention accounts: \$172.32 to Medical & Lab Supplies, 100-4033100-33100-6004; \$157.00 to Uniforms, 100-4033100-33100-6011; and \$2,000.00 to Food Supplies/Service, 100-4033100-33100-6002. The first item is for reimbursement of Craig County inmate medical expenses, the second is for contract payments, and the third is for the receipt of Social Security incentive payments for July through October 2019.

Additional appropriation in the amount of \$62.50 to Dispatch – Uniforms, 100-4031400-31400-6011. This is for receipt of a contract payment.

Additional appropriation in the amount of \$955.08 to the following Sheriff's Department accounts: \$720.00 to Forest Patrol Salaries, 100-4031200-31200-1900; \$55.08 to FICA, 100-4031200-31200-2100; and \$180.00 to Vehicle Supplies, 100-4031200-31200-6009. These are reimbursed expenses for National Forest patrols.

Additional appropriation in the amount of \$3,036.82 to the following Sheriff's Department accounts: \$735.56 to Firing Range Expenses, 100-4031200-31200-6015; \$2,162.26 to Repairs & Maintenance, 100-4031200-31200-3311; and \$139.00 to Uniforms, 100-4031200-31200-6011. The first item is for the sale of brass casings, the second is for an insurance reimbursement for vehicle repairs, and the third is for contract payments.

Additional appropriation in the amount of \$937.54 to the following Sheriff's Department accounts: \$870.92 to Wages – Overtime, 100-4031200-31200-1200; and \$66.62 to FICA, 100-4031200-31200-2100. These are cost reimbursements for a Town of Buchanan event and traffic control duties.

Additional appropriation in the amount of \$430.00 to the following Sheriff's Department accounts: \$350.00 to Subsistence & Lodging, 100-4031200-31200-5530; and \$80.00 to Vehicle Supplies, 100-4031200-31200-6009. The former is for a training reimbursement from the Commonwealth of Virginia and the latter is for a traffic control vehicle fee.

Additional appropriation in the amount of \$308,998.00 to EDA Transfers, 100-4091800-91800-3800. This appropriation completes the total appropriation (\$758,998.00) of Virginia Telecommunications Initiative (VATI) grant funds received from the State for the Craig-Botetourt Electric Cooperative (CBEC) broadband project.

Additional appropriation in the amount of \$158,300.00 to Transfer to EDA, 100-4091800-91800-3800. This appropriation is for work being performed by Hubbard Excavating for the West Center Drive project in Greenfield.

Additional appropriation in the amount of \$100,000.00 to Transfer to EDA, 100-4091800-91800-3800. This appropriation coupled with the requested reappropriation of \$100,000.00 covers the total local economic development funding grant (\$200,000) provided for the CBEC broadband project.

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 payables totaled \$1,224,861.28. He noted that large expenditures included \$35,000 to ESRI, Inc., for GIS licensing agreements; \$64,641 to Sure-Flo for 10 self-contained breathing apparatus for Fire/EMS; \$83,581 to the Health Department for the County's quarterly budget allocation payment; \$28,500 to the EDA to fund the Murray Drive project; \$46,025 to Two-Way Radio, Inc., to replace radio system amplifiers; and \$34,130 to CST Industries, Inc., for repairs to the landfill's leachate tank.

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 and ratified the Short Accounts Payable List as submitted. (Resolution Number 19-10-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Ray Varney, Resident Engineer with the Virginia Department of Transportation, was then present to speak to the Board.

Mr. Varney noted that VDoT is conducting its annual fall transportation meeting for the Salem District at the Holiday Inn Valley View on October 30 at 4PM to obtain public input on proposed improvement projects for the next six years. He invited Board members and County staff to attend.

He then reviewed the monthly report. Mr. Varney noted that the Route 220 safety improvement project is proceeding; the two bridge replacement projects on Route 11 in Cloverdale/Hollins are completed; rehabilitation work on the Ball Park Road bridge is continuing; and the I-81 bridge deck overlay project at Exit 150 is complete except for a few minor items. Mr. Varney further noted that the paving work on U. S. Route 220 between Exit 150 and Fincastle is complete except for line painting work; the paving work on Wheatland Road should begin this week and on Blacksburg Road during the following week; and the paving work on Route 11 near the bridge replacement projects is complete.

Regarding land development projects, Mr. Varney stated that work on the Ashley Links Drive and Fairway Court improvement projects in Ashley Plantation is complete and the Board will be asked later today to consider a resolution requesting acceptance of these two streets into the Secondary System of Highways. Regarding site plan reviews, Mr. Varney stated that VDoT is reviewing the proposed Route 220 crossover improvements which are included in the Fieldstone Development project across from Ikenberry's Orchards and VDoT is awaiting resubmittal of revised plans for the new northern entrance into Santillane Subdivision in Fincastle. He noted that when Santillane was first developed, it was located entirely in the County; however, with the recent Fincastle boundary adjustment, this subdivision is now located in both the Town and the County. He noted that this new entrance will be right in/right out only.

Mr. Varney noted that Roanoke Gas has obtained an utility permit for gas line improvements near Ivy Lane and Orchard Lake Drive in Daleville. He also noted that they have also been in discussions with Roanoke Gas regarding location of the natural gas line to serve the new Colonial Elementary School. Mr. Varney stated that Roanoke Gas submitted a request to install the line from U. S. Route 460 near Webster Road, along Welches Run Road, and then up to the school site on Murray Drive.

Mr. Varney stated that Roanoke Gas had requested placing the line under the pavement on Welches Run Road. He noted that VDoT was not in favor of that proposal but, after reviewing other options in the field with the gas company, i. e., boring under the creek at the Laymantown Road/Route 460 intersection, it was decided to allow the natural gas line to be placed under the pavement. Mr. Varney stated that this installation will necessitate traffic access issues for the residents of Welches Run Road.

Mr. Martin noted that there are also flooding issues on this roadway during heavy rains.

Regarding Residency Projects, Mr. Varney stated that, with the recent rain, he hopes that grass seed on the Route 43/Shiloh Drive intersection project will begin to sprout. He noted that the shoulder widening project on Old Fincastle Road was supposed to begin in early October; however, the work was delayed and is now expected to begin next week. Mr. Varney further noted that this project will necessitate closure of the road for the duration of the project. He stated that the Zimmerman Road project has begun and some new culverts have been installed. Mr. Varney stated that VDoT did not purchase any additional right-of-way for this project; however, the contractor will have to get off of the right-of-way to do some

of the work. He noted that, due to the project's scheduling, he does not think that the road will be paved until spring 2020.

Mr. Martin stated that the residents are excited about getting this road repaired.

Mr. Varney also noted that there will be some traffic access interruptions during this project.

Mr. Varney then stated that paving on the White Church Road Rural Rustic Road project has been completed but there are a few incidental items remaining before the project can be closed out. He further stated that VDoT and County staff met earlier this month to discuss the Murray Drive road improvement project. Mr. Varney noted that there are a few issues that still need to be resolved but they hope to have the final plans approved soon so that construction can begin on April 1, 2020, and the roadway paved by November 1, 2020.

Regarding engineering studies, Mr. Varney noted that VDoT has conducted an arterial preservation plan study, similar to what is being done on Routes 220 and 460 in Botetourt County, on the section of Route 220 in southern Roanoke County. He noted that public information meetings are scheduled in Roanoke County in the near future and Botetourt County staff and Supervisors members may want to attend these meetings to see how this process works.

He further noted that VDoT staff has been conducting patching, ditching, pipe replacements, and tree removals on various County roads to prepare these roadways for paving work next summer.

After questioning by Mr. Sloan, Mr. Varney stated that there were two separate tractor trailer accidents which tied up traffic on I-81 in the County for hours on Sunday. He noted that, when these types of major traffic incidents occur, everyone in VDoT including the Commissioner are involved in the follow-up discussions.

Mr. Varney further noted that VDoT has plans to widen the inside shoulder area and add an improved friction surface to the northbound lanes of I-81 near Arcadia similar what was placed on the southbound lanes three years ago. He noted that this surface appears to have reduced the number of southbound accidents on this section of I-81. He noted that this work on the northbound lanes should begin next year.

After further questioning by Mr. Sloan, Mr. Varney noted that "you cannot get rid of the human factor" in these accident situations. He noted that this section of I-81 is rated for a maximum safe speed of 60 mph.

Mr. Sloan further noted that citizens also have expressed concern about the alternate routes given by GPS systems during these types of traffic incidents which results in additional cascading traffic delays/backups on rural, country roads.

Mr. Varney stated that VDoT has, and continues to, forward information to Google's software mapping division on roadways that are not acceptable for tractor trailers.

After questioning by Dr. Bailey regarding the new entrance into Santillane Subdivision, Mr. Varney stated that the developer is required to construct another entrance off of U. S. Route 220 before they can sell lots in the northern section of the subdivision. He noted that VDoT is reviewing the developer's plans for this entrance.

After further questioning by Dr. Bailey, Mr. Varney stated that the new entrance will be located between Frontier Way and Santillane Farm Road, not between Baileywick Lane and Frontier Way as mentioned in his monthly report.

After questioning by Mr. Sloan, Mr. Varney noted that the pre-after-action review on Sunday's I-81 traffic incidents will be held on October 23 at 3PM at the Salem Residency Office. Mr. Sloan requested that the County's Chief of Fire and EMS be invited to this meeting.

Mr. Clinton then noted that he had asked this question of VDoT when he was first a Supervisors member twenty years ago and was asking again today—does VDoT have any means of deterring tractor trailer drivers from using their “jake brakes.” He noted that these brakes are loud and disturb citizens throughout the day and night.

Mr. Martin stated that he has also asked if any solution to this issue can be found for tractor trailers along Route 460.

Mr. Varney stated that he knows of nothing that VDoT can do but, as it is a motor vehicle operational issue, it is governed by the Department of Motor Vehicles.

Mr. Clinton questioned if signs could be posted warning large truck drivers to not use their jake brakes and if violations occurred then traffic tickets could be written by law enforcement. Mr. Varney noted that he does not know if DMV has a process for this but VDoT cannot do anything as it is a vehicular matter not a roadway matter.

There being no further discussion, the Board thanked Mr. Varney for presenting his report and answering the Board's questions.

Consideration was then held on the acceptance of two streets in Ashley Plantation, Section 6, into the Secondary System of Highways. Mr. David Givens, Development Services Manager, stated that Ashley Links Drive and Fairway Court in Ashley Plantation, Section 6, have been reviewed and approved by VDoT and are eligible for acceptance into the Secondary System of Highways.

He requested that the Board adopt the resolution included in their meeting information packets to this effect.

On motion by Mr. Clinton, seconded by Mr. Sloan, and carried by the following recorded vote, the Board adopted a resolution requesting the acceptance of Ashley Links Drive and Fairway Court in Ashley Plantation, Section VI, into the State's Secondary System of Highways. (Resolution Number 19-10-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

WHEREAS, the streets, Ashley Links Drive and Fairway Court in Ashley Plantation Subdivision, Section VI, described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Botetourt County; and

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

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

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

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

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

A public hearing was then held on approval of a 15' X 290'+/- easement on the Blue Ridge Park property to Mid-Atlantic Broadband Cooperative. Mr. Jim Farmer, Director of Recreation and Facilities, stated that Mid-Atlantic Broadband Cooperative has requested an easement on the Blue Ridge Park property to install broadband infrastructure to and from the new cell tower site. He noted that this easement is shown on the map included in the Board's information packets.

Mr. Farmer noted that the County Attorney has reviewed this easement.

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

Dr. Scothorn stated that there is a dead zone in the vicinity of Blue Ridge Park and he believes that this easement will help improve the area's broadband service.

Mr. Martin noted that he has received calls from citizens requesting broadband access in this area.

On motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the Deed of Easement between the County and Mid-Atlantic Broadband Cooperative for a 15' X 290' +/- easement on the Blue Ridge Park property (Tax Map 108, Parcel 218B), and authorized the County Administrator to sign the easement on the County's behalf, subject to final review and approval by the County Attorney. (Resolution Number 19-10-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on employee health insurance renewals. Mr. David Moorman, Deputy County Administrator, stated that the County employees' health benefits plan year ends on November 30, 2019. He noted that these benefits include a partially self-funded medical plan, self-funded prescription drug and dental plans, two domestic travel networks, a vision plan, a wellness program, and an employee assistance program (EAP).

He noted that Cindy Bartolacci with OneDigital, the County's health insurance consultant, is present today to review the renewal options. Mr. Moorman then thanked the staff members and OneDigital representatives for their assistance in reviewing these insurance plan renewal proposals.

Mr. Moorman noted that the County's health-related claims/costs were similar to those in recent years.

Mr. Martin then noted that the staff report for this agenda item had been updated after the Board's information packets had been completed.

Ms. Bartolacci stated that she has worked with Mr. Moorman and the County staff team over the past several months to review the County's existing health insurance experi-

ence and to obtain new proposals for the December 1, 2019, through November 30, 2020, plan year.

She noted that the employees' current health insurance plan is handled through a third-party administrator (MedCost), Optum is the reinsurer, the prescription drug plan is through Kroger Prescription Plans, the vision plan is through EyeMed Vision Care, the dental plan is through Revolv, the domestic travel benefits plan is through New World Travel and American Healthcare Alliance, and the employee assistance plan is through Anthem.

She noted that the initial medical and drug plan renewals submitted to the County proposed a 33.9% increase, which is high. Ms. Bartolacci stated that these renewals included one historical, large expense, claimant which is referred to as a "laser" by the health insurance industry. She noted that this laser increases the County's health insurance liability above the normal limit of \$100,000, and Optum would require the County to fund claims from that individual in an amount up to \$175,000 before the reinsurance coverage will come into play.

Ms. Bartolacci stated that OneDigital conducted a market study on reinsurance provider options and Berkley submitted a proposal with only an 8.5% increase; however, they are requiring the County to provide funding for the current historical laser up to \$182,500 and to allow for a second laser to be funded by the County at an amount up to \$650,000.

She noted that the County's current total budget allocation for employee health insurance costs is \$3.2 million and is proposed to be \$3.4 million in the new plan year--an increase of 8.5% (\$273,528). She further noted that the County's current portion of the premium is \$2.7 million and the proposed portion is \$2.9 million which is an increase of 6.7% (\$187,524). Ms. Bartolacci stated that the current employee portion of the premium is \$400,388 and the proposed employee portion is \$526,392, which is an increase of 19.5% (\$86,004).

Regarding the potential laser liability, Ms. Bartolacci noted that the County is currently covering \$435,000 of the \$832,500 lasers in premium which leaves a balance of \$397,500. She stated that, if the additional \$397,500 in health insurance costs are incurred, and noted that there is no guarantee that they will, it is recommended that these costs be paid with a combination of Health Insurance Fund and General Fund Balance monies.

Ms. Bartolacci then reviewed the proposed increases in monthly employee health insurance premiums: Employee Only--from \$70 to \$95 per month; Employee & Spouse--from \$286 to \$322 per month; Employee & Child--from \$147 to \$197 per month; Employee & Children--from \$242 to \$267 per month; and Employee & Family--from \$388 to \$420 per month.

She noted that the overall claims in 2018-19 increased by 20.2% over the 2017-18 plan year--drug claims increased \$240,653 and medical claims increased \$141,882. She further noted that there were seven large claimants in 2017-18 (total of \$688,930) and six large claimants in the current (2018-19) plan year (total of \$926,037), for an expenditure increase of \$237,107. After discussion, Ms. Bartolacci stated that the increase in the reinsurance cost is also driving the increase in the plan/premium cost for the 2019-2020 year.

Ms. Bartolacci stated that the renewal recommendations are to retain the current benefits structure with the following changes: increase the annual maximum wellness payments from \$355 to \$400; eliminate the out-of-network annual out-of-pocket limits (\$20,000/\$40,000) which would make this an unlimited amount; reduce employee access to

the American Healthcare Alliance network for medical conditions that occur when traveling outside of the VHN Plus and MedCost networks so that employees use doctors/facilities that are in-network; and allow dependents living outside of the primary network to have access to the travel network for treatment options. Regarding the drug/dental programs, Ms. Bartolacci recommended that the County renew its prescription plan with Kroger; move to a national formulary program which would generate anticipated savings of \$22,000; and implement the Adhere 90 Maintenance Drug program which allows patients to receive a 90 day supply of certain medicines at one time which would result in anticipated savings of \$17,000. She also suggested that the County renew its dental plan with Revolv, which submitted a premium rate of 6.5% less than the current plan year's rate.

After discussion, Ms. Bartolacci further recommended that the County renew its vision plan with EyeMed with no change in rate/benefits/employee contributions; renew with Anthem for the EAP with no change in rates/benefits; and renew with New World Travel with no change in rates/benefits.

Regarding the employee medical plan, Ms. Bartolacci recommended that the County renew with MedCost with an increase in the large case management cost from \$1.50 to \$1.70 per employee; change the reinsurance plan from Optum to Berkley with one laser at \$182,500 and a second laser at \$650,000, which is the highest claim amount that the County would be responsible for paying; increase the medical plan budget by \$273,528; and implement the plan changes previously mentioned regarding wellness payment increases, eliminating out-of-network out-of-pocket limits, reducing access to the AHA network, and allow dependents living outside of the primary network to have access to the travel network.

After questioning by Mr. Martin on the definition of a laser, Ms. Bartolacci stated that a laser is defined as a claimant/employee with historic, large-cost medical expenses. She noted that currently in these cases, the County funds up to \$100,000 of the individual employee's medical expenses as a stop-loss before the reinsurance company's coverage takes over payment of these expenses. She stated that, for the two claimants "lasered" going forward in the new plan year, the County would be required to pay up to \$182,500 for one and up to \$650,000 for the other before the reinsurance coverage would begin paying these costs.

After questioning by Dr. Scothorn, Ms. Bartolacci stated that the requirement of a second laser was proposed during the renewal process. She noted that, in the current self-funded plan, the County is required to pay the first \$100,000 of health claims for each covered individual before the reinsurance takes over payments above that amount. Ms. Bartolacci stated that, in the renewal submittals received this summer, the County was informed that it would now be required to fund 2 laser claims—one renewing laser at \$182,500 and one new laser at \$650,000. She noted that paying these laser claims is contingent on those medical costs actually occurring.

After questioning by Dr. Scothorn, Mr. Moorman noted that the County currently has a Health Fund balance of \$1.2 million. Mr. Moorman suggested that the County monitor these laser claims to see if they occur. Mr. Moorman stated that, if these high laser claims do occur, staff will present a request that the Board approve additional funding from either the Health Fund or the General Fund to pay these claims.

Dr. Scothorn stated that, in the current healthcare environment, people have to pay a lot for health insurance. After questioning by Dr. Scothorn, Ms. Bartolacci stated that the health insurance review team received five renewal proposals.

After questioning by Dr. Scothorn regarding the employees' premium increases, Mr. Moorman stated that the staff has tried to incrementally adjust the premiums over time to make them more equitable.

Mr. Tony Zerrilla noted that last year the premium for employee and child only increased \$10 while the other premiums increased at higher amounts. He noted that the review team considered two years' worth of premium increases in determining how much to increase these rates to be more reasonable.

After questioning by Dr. Scothorn, Mr. Moorman stated that there is a tele-health program available through MedCost; however, there is a monthly fee charged for each employee. He noted that the staff team did not think that, with the other premium increases being proposed, it was feasible to implement this fee in the new plan year. He stated that staff would like to add tele-health benefits to the County's program in the near future.

After questioning by Dr. Scothorn, Ms. Bartolacci stated that the County employees' utilization of generic drugs is 89% which is very good. Mr. Moorman further noted that, when only generic drugs are available, the employees' utilization rate was over 95%.

Dr. Scothorn stated that he has a problem with insurance companies and the instances, for example, of a patient having to try 4 different medications before it is determined that a generic is appropriate to treat their condition. Dr. Scothorn stated that the Board is here to ensure that our employees are getting the best insurance coverage at the best price and it is frustrating to listen to the insurance companies' reasons for cost increases.

Mr. Moorman stated that the County has one of the few health insurance plans in this area that have a \$0 deductible and our premiums are below the area's market for comparable coverage.

After questioning by Dr. Bailey regarding the requirement for funding of two laser claimants, Ms. Bartolacci stated that, for example, with a claim of \$200,000 for the first laser, the County's health insurance plan will pay \$182,500 and the remaining \$17,500 will be paid by the reinsurance company. She noted that, for example, with a claim of \$750,000 for the second laser, the County's health insurance plan will pay \$650,000, and the reinsurance company would then pay the remaining \$100,000.

After further questioning by Dr. Bailey, Ms. Bartolacci stated that reinsurance companies typically require their clients to fund lasers based on high claims and that it is not unusual for companies to require their clients to fund two or three laser claims.

After questioning by Dr. Scothorn, Ms. Bartolacci stated that the staff team did review Virginia's Local Choice health plan; however, the County would have lost a lot of flexibility and discounted prices and would have to be fully insured by joining that plan.

After further questioning by Dr. Scothorn, Ms. Bartolacci stated that there is a chance that payment of the two laser claims would not come to fruition.

Mr. Moorman further noted that the staff team reviewed the Local Choice health insurance plan two years ago and it was "not a good fit" for the County and the premiums were higher.

After discussion, Ms. Bartolacci noted that the current trend in premium increases is 9%, with many groups seeing increases much higher.

Mr. Clinton then questioned the process by which this renewal was handled. He noted that, in the past, the Board members received a listing of coverage/cost options proposed by each insurance company.

Ms. Bartolacci stated that she will provide the Board members with the renewal bid comparison chart.

After questioning by Mr. Clinton as to whether these insurance renewals could be for multiple years, Mr. Moorman stated that the County has asked for multi-year contracts for our medical and drug plans; however, the providers do not offer this option. He noted; however, that the County's vision plan is on a two-year renewal cycle.

There being no further discussion, on motion by Mr. Clinton, seconded by Dr. Bailey, and carried by the following recorded vote, the Board authorized the award of group health insurance plans as recommended to MedCost Benefit Plans, Berkley for reinsurance coverage, Kroger Prescription Plans, EyeMed Vision Care, and Revolv for dental insurance coverage, effective December 1, 2019; authorized the continuation of the County's wellness program, New World medical travel plans, and Employee Assistance Plan; authorized staff to execute all necessary instruments upon the review and approval of the County Attorney; and approved and authorized Active Employee, COBRA, and Retiree premiums and surcharges as recommended effective December 1, 2019. (Resolution Number 19-10-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. David Marcum with the Greenfield Historic Preservation Committee then provided the Board with an update on their recent activities. He noted that the Committee has scheduled a lecture series presentation/fundraising event on November 14 at the Harrison Museum of African American Culture located in the Center in the Square in downtown Roanoke. He noted that the event will include presentations on the Greenfield historical area including Native American artefacts found on the site, the William Preston family, etc., and discussions on plans and funding needs.

Mr. Marcum stated that donations will be requested to preserve and restore the Greenfield slave quarters and the kitchen structures.

Mr. Marcum noted that Mr. William Arney, County Treasurer, attended the Committee's last meeting to inform the group how to properly deal financially with these donations. He further noted that the Committee is subject to the County's procurement regulations and will have to obtain bids from multiple companies/organizations to conduct restoration work on the two structures.

Mr. Marcum stated that the Committee has also approved the name "Historic Greenfield" for the 29 acre preservation area in the Botetourt Center at Greenfield and requests the Supervisors' concurrence with this name.

Mr. Marcum then thanked the Board members and the County staff for their assistance and support with this project.

Mr. Clinton stated that "Historic Smithfield" in Blacksburg is also a plantation site that was formerly owned by William Preston which is why the similar name was proposed for the

Greenfield historical site. Mr. Clinton stated that the Committee eventually hopes to have a byway trail connecting the two properties.

Mr. Marcum noted that this similarity will also tie in with the fundraising aspect of their project.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the name of "Historic Greenfield" for the historic preservation area located on the Botetourt Center at Greenfield property. (Resolution Number 19-10-14)

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 meeting was called back to order at 3:55 P. M.

Chief of Fire and EMS Jason Ferguson then introduced Mr. Robert Hagan to the Board. He noted that Mr. Hagan is a new firefighter and recently completed training through the Roanoke Regional Fire and EMS Academy. Chief Ferguson noted that Mr. Hagan is a native of Botetourt County and previously worked for Twin River Outfitters in Buchanan.

After questioning by Mr. Sloan, Mr. Hagan noted that his father is an attorney in the County.

Mr. Martin welcomed Mr. Hagan to employment with Botetourt County.

Mr. David Givens, Development Services Manager, then conducted a work session on the 2019 Stormwater Management Committee Report. Mr. Givens stated that the Committee was formed in the fall of 2018 to discuss erosion and sediment control challenges encountered by the County during the region's wet weather events in 2018 and early 2019.

He noted that the Committee's members included representatives from the development community, County staff, and Supervisors member Steve Clinton. He noted that there were a number of stormwater issues that occurred over the past two years; some of which resulted in significant impacts to the County and its citizens including basement and yard flooding, washouts of gravel roads, and stormwater detention facilities not being properly maintained to handle heavy rain events.

Mr. Givens stated that the Committee reviewed these issues and developed recommendations. He noted that these solutions are based on the impact to the development community and staff outreach, education, and communication with subdivision residents and the developers. Mr. Givens noted that some of the recommendations are for minor policy/procedures revisions and fee schedule amendments. He further noted that this outreach, once implemented, will allow for feedback so the Committee and staff can ascertain if further improvements/changes are needed.

He then reviewed the stormwater issues and the resulting recommendations identified by the Committee. He noted that, in some of the older subdivisions, which do not have homeowners associations, there are problems due to a lack of long-term maintenance of stormwater facilities which makes any erosion/sediment control violations difficult to enforce. Mr. Givens noted that the Committee has recommended that the County provide educational

opportunities for property owners on proper maintenance of these systems, encourage the formation of homeowners associations, establish drainage easements where necessary, and encourage the enactment of a new maintenance agreement for stormwater infrastructure.

Mr. Givens stated that new, small commercial projects do not require a land disturbing permit (LDP) if the disturbed area is less than 10,000 square feet (sf). He noted that these projects are not required to be inspected and the County has no authority over erosion/stormwater on these sites. He noted that the Committee recommended that County policies/codes be updated to require that these small projects obtain an Agreement in Lieu of Permit (AILP) which will allow the staff to inspect the project to alleviate some of the drainage/erosion problems.

Mr. Givens further noted that grading for roads and utilities in new, residential construction projects is required to be included in the original site/development plans reviewed by the Community Development Department; however, there are no grading plans required for each individual lot in the development. He noted that this has resulted in the individual homebuilder grading the lot without an approved plan which causes upstream and downstream drainage issues for the adjacent properties. Mr. Givens stated that the Committee recommended that a general drainage plan be required with the submittal of a building permit for each lot.

Mr. Givens then stated that since the mid-1990s residential subdivisions with a permanent stormwater management facility have been required to submit a Stormwater Management Infrastructure Maintenance Agreement to the County. He noted that, when control of the development is transferred from the developer to the HOA, the maintenance responsibilities for this infrastructure are overlooked which results in problems. Mr. Givens stated that the Committee recommends that language pertaining to maintenance of stormwater management (SWM) infrastructure be required on the subdivision plat and that the County require an inspection, with the developer and HOA representative in attendance, prior to transfer of the maintenance responsibilities from the developer to the HOA.

He further stated that the County does not require grading plans for constructing a single family detached dwelling and this has created challenges for upstream and downstream property owners. He noted that the County should also be more proactive during the plan review process to catch potential problems before they occur. Mr. Givens stated that additional information should be included with the AILP for the building permit to indicate how the lots will be graded, how the drainage will flow from the site, a general grading plan, and a checklist of required items to be submitted.

After questioning by Mr. Martin, Mr. Givens stated that the County has updated the stormwater maintenance agreements with newer subdivisions which includes the requirement of a yearly inspection report on each SWM facility, how often they are supposed to be inspected, what improvements/upgrades are needed, etc. He noted that this report is required to be submitted to the County yearly.

After questioning by Dr. Scothorn, Mr. Givens stated that the County's Erosion and Sediment Control Ordinance requires a SWM facility to be located on a fee simple lot. After further questioning, Mr. Givens stated that the staff is working on compiling a listing of residential subdivisions with and without SWM facilities and HOAs.

After further questioning by Dr. Scothorn on what constitutes an HOA, Mr. Lockaby, County Attorney, said that an HOA can be a subdivision with anywhere from 2 to an infinite number of lots.

After questioning by Dr. Bailey, Mr. Givens stated that in the older subdivisions there is no entity in existence to maintain the SWM infrastructure.

Mr. Givens noted that the next issue discussed by the Committee was situations where a new home is completed and the homeowner requests a Certificate of Occupancy (CO) prior to having the yard established or the disturbed area stabilized. He noted that the County Code requires that a residential yard/disturbed area be established in grass prior to the issuance of a CO and growing grass can be difficult during the winter months or during a drought. He further noted that, once the CO is granted, it is difficult for the staff to require the homeowner to plant grass in the yard area as there are no "teeth" in the regulations.

Mr. Givens stated that Roanoke County has a requirement that the homeowner obtain a "yard surety" which gives them 30, 60, or 90 days after receipt of the CO to have their yard stabilized/planted with grass. He noted that the Committee recommended that the County implement a "yard surety" if the owner wants a CO prior to the yard being established.

He noted that the Committee also discussed issues where, in older subdivisions that have undeveloped lots, contractors submit a building permit application which includes adding drainage structures within designated easements or in roadside ditches that were not approved with the original subdivision plans and have not been reviewed/approved prior to installation. He noted that this situation results in drainage issues on adjacent properties. Mr. Givens stated that the Committee recommends that plans and calculations for the drainage structures for these easements be submitted to staff for review to ensure that there are no adverse impacts on neighboring properties.

Mr. Givens stated that for Agreements in Lieu of for erosion control on single family dwelling lots, there is no fee for the land disturbing permit to help recoup staff inspection/review costs. He noted that the Committee is recommending that the fee schedule be amended to this effect.

He noted that an issue has also come up where reviews of commercial/multi-lot developments, which are subject to multiple local, state, and federal regulations, are not coordinated. He noted that this results in changes that may negatively impact another set of requirements. Mr. Givens stated that the Committee recommends that a single point of contact be established with a designated development review coordinator, establish a technical review committee to meet with the developer to answer questions, and establish a fee schedule for plan reviews and re-reviews.

Mr. Givens stated that there are also instances where it is difficult to convince a developer/contractor to stay in compliance with the erosion/SWM regulations as the County currently only has the option of issuing either a Notice to Comply or Notice of Violation if drainage/erosion violations occur. He noted that, if the County issues a Stop Work Order due to these violations, the order does not impact construction of the on-site structure which results in the erosion violations not being corrected within the allotted period. He noted that the Committee recommends that the County Code be amended so that, after a Stop Work Order is issued, no further inspections on the residence/structure would be permitted until the erosion-related violations are corrected.

Mr. Givens then stated that the final issue pertains to Notices to Comply. He noted that in some instances several Notices to Comply are issued on one site's erosion/storm-water violations; however, the contractor/developer overlooks these notices in their efforts to complete the structure. He noted that the Committee recommends that the County's policies be amended to require that one Notice to Comply, followed by a Stop Work Order for all construction on the site, be issued if the violation is not corrected.

Mr. Givens stated that the next steps in this process would be for staff to develop timelines for education and outreach efforts with the development community, drafting of County Code amendments, conducting a fee analysis to include permitting fee revisions, and evaluating these changes after implementation to determine how effective they were. Mr. Givens noted that, if the Board is agreeable with the Committee's recommendations, it is requested that staff be directed to implement these changes as outlined in the report.

Mr. Clinton stated that there are many aspects to stormwater regulations and they are exceedingly complex. He noted that there are many interlocking, and at times, opposing dynamics. He noted that it is remarkable how well the various Committee members worked together to draft these reasonable recommendations. Mr. Clinton noted that it was a good process and "everyone was involved in the solutions."

Dr. Bailey thanked Mr. Givens and the Committee members for their involvement and time spent on this report.

Mr. Givens noted that the County previously conducted a similar process in 2005 and some of those same individuals were involved on this review committee.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scythorn, and carried by the following recorded vote, the Board directed staff to implement the recommendations as outlined in the Stormwater Management Committee's report. (Resolution Number 19-10-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Lockaby then stated that he had received notice earlier today of a recommendation from the County's opioid litigation counsel. He noted that this multi-jurisdictional litigation case was supposed to begin in Cleveland, Ohio, yesterday. Mr. Lockaby stated that the Judge has certified a negotiating class action in this matter. He noted that a committee of approximately six attorneys are currently negotiating on behalf of the localities involved in the lawsuit.

Mr. Lockaby stated that the County has until November 22, 2019, to either opt in or opt out of the negotiated settlement. He noted that, if the Board takes no action, then it is considered that the County "opted in". He further noted that, if the County wants to get out of this class action suit, we would have to take action to authorize the County Administrator or the County Attorney to sign the necessary "opt out" paperwork. Mr. Lockaby stated that he is recommending that the County opt out of the negotiating class action.

After discussion, he noted that several dozen Virginia localities are represented by the same legal counsel in this case and these localities would have a strong negotiating position in their own stead.

After questioning by Mr. Clinton, Mr. Lockaby stated that the County would retain the existing legal counsel in this case.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board, upon the advice of the County Attorney, opted out of the negotiated settlement in the opioid epidemic lawsuit and authorized the County Administrator and County Attorney to sign any necessary paperwork to this effect on the County's behalf. (Resolution Number 19-10-16)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of amendments to the County Personnel Policy Manual. Mr. David Moorman, Deputy County Administrator, stated that the agenda item on this matter listed the proposed Personnel Policy amendments. He noted that these amendments include implementation of a remote work policy, updates to the personal blogs/social media policy as recommended by the County Attorney, removal of a prohibition on employees' use of annual vacation leave during their first six months of employment, extending leave benefits to certain permanent part-time employees, granting employees one paid day per year to give volunteer service to a non-profit organization, and providing employees the opportunity to convert accumulated annual vacation leave toward the repayment of student loan debt.

After questioning by Dr. Bailey, Mr. Moorman stated that the proposed amendments would allow an employee to convert up to 5 days' worth of vacation per calendar year into its dollar value to be used for payment of student loans.

After questioning by Dr. Scothorn, Mr. Moorman stated that on occasion County employees currently work remotely off-site; however, this is not on a regular schedule at this time. Mr. Moorman stated that requests to allow remote off-site work by employees would be reviewed on an individual basis and put in place if and when it makes sense. He noted that this would add flexibility to employee work schedules.

There being no further discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board adopted the amendments to the County's Manual of Personnel Policies effective November 1, 2019, as presented. (Resolution Number 19-10-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on various appointments.

Mr. Clinton noted that the term of the Amsterdam District representative on the Library Board of Trustees expires on December 31, 2019. He noted that the current representative does not wish to be reappointed. Mr. Clinton noted that this vacancy has been advertised and interested citizens of the Amsterdam District have until November 8 to submit letters of application; therefore, he asked that this appointment be tabled until the applications can be reviewed.

The Board concurred with Mr. Clinton's request.

On motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Ms. Melissa Cook, and Ms. Trista Thompson as her alternate, with DePaul Community Resources, as the private provider agency representative on the Community Policy and Management Team for a term to expire on September 1, 2020, and directed staff to send a letter to Mrs. Melinda Otey with Family Preservation Services thanking her for her previous service on the CPMT. (Resolution Number 19-10-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A work session was then held on the County Facilities Study. Mr. David Moorman, Deputy County Administrator, stated that, during the FY 20 budget development process, discussion was held on a capital needs study on all County-owned buildings due to needed renovations to the Circuit Courthouse and the plans to relocate the County offices to the Education and Training Center. He noted that this resulted in \$250,000 being included in the FY 20 budget to conduct this study.

He noted that the County has a number of office space issues that need to be addressed including library needs, a possible County community center facility, and a decision on the results of a recently completed fire station study.

After discussion, Mr. Moorman noted that staff conducted researched for similar requests for proposals (RFP) to use as a guide in developing our RFP but there are not many organizations/governmental entities that have conducted this type of comprehensive master plan study on all of their buildings/facilities.

Mr. Moorman stated that the draft RFP was submitted to Mr. Clinton for input due to his professional background in engineering. He noted that Mr. Clinton recommended that the staff engage a professional consulting firm to develop this RFP to ensure that all of the County's long-term needs are included.

After questioning by Dr. Scothorn regarding the use of Virginia Tech's Community Design Assistance Center, Mr. Larrowe stated that using this group may not be timely and the cost could be fairly expensive due to scheduling.

After questioning by Dr. Bailey, Mr. Moorman noted that the staff did not find many examples of RFPs that other cities/counties have issued for this type of study on this scale.

Mr. Clinton stated that this is an enormous project and will need to include cost estimates, whether to lease or build facilities, recommendations on what to do with vacant County buildings once the offices move to Greenfield, etc. He noted that there are a lot of options available. Mr. Clinton stated that there are architectural/engineering firms that can assist the County in developing this RFP.

Dr. Scothorn suggested that the County could contact Mr. Clinton's former engineering firm for their assistance in this matter.

Mr. Martin noted that the staff is requesting that two Supervisors members be selected to serve on this project oversight committee.

Mr. Larrowe suggested that Mr. Clinton and Dr. Bailey serve on this committee.

Mr. Martin appointed Mr. Clinton and Dr. Bailey to serve as the Supervisors' representatives on the Comprehensive Facilities Study Oversight Committee to conduct discus-

sions with staff on the RFP's scope of work, desired deliverables, and the preferred approach to developing and issuing the RFP.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the meeting was adjourned at 4:45 P. M. (Resolution Number 19-10-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None