

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, October 27, 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 (left at 4:30 PM)
Mr. Gary Larrowe, County Administrator

The Chairman called the meeting to order at 12:30 P. M.

On motion by Mr. Martin, seconded by Mr. Sloan, 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. 1, Discussion on personnel issues pertaining to County employees; 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 (Jack Smith Park) and Amsterdam (Greenfield) 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), Buchanan, Fincastle and Valley (EastPark) Districts; Section 2.2-3711.A. 6, Discussion or consideration of 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 and regarding a potential utilities project; and Section 2.2-3711.A. 8, Consultation with legal counsel regarding specific matters requiring legal advice pertaining to property ownership. (Resolution Number 20-10-01)

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 2:17 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 20-10-02)

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.

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

Mr. Martin then asked for a moment of silence.

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 defunding their budgets. He noted that they are a necessary and vital part of our community.

Mr. Martin then opened the public comment period.

Ms. Lois Bisese of Fringer Trail stated that she is opposed to the permanent closure of Ellis Run Lane (Route 644) to be discussed by the Board later today. She noted that this road's closure affects her and her family. She noted that Fringer Trail is difficult to navigate in snowy weather and, since it is a secondary road, VDoT usually takes at least 24 hours to clear the road of snow. She noted that there are also problems with flooding on the road a couple of times a year which results in at least three homeowners being "trapped" in their homes.

Ms. Bisese stated that Ellis Run Lane was closed by action of the Supervisors in 2013 and this road is their only way in and out when Fringer Trail is blocked by bad weather. She noted that her neighbors have also e-mailed their concerns to the Board about this matter. Ms. Bisese stated that VDoT has to conduct almost continuous maintenance on Fringer Trail which is mostly a gravel road and improvements are needed.

After discussion, Ms. Bisese stated that, at times, her husband who is a contractor has not been able to go to work due to the road's condition during snowy or flooding conditions. She further stated that traffic has increased on the road including logging and other large trucks.

She requested that the Board view the roadway before making a decision on abandoning Ellis Run Lane. She noted that they need this road to stay open.

Mr. Dave Condon of Eagle Rock then spoke regarding the Rocky Forge wind project. Mr. Condon stated that the Board had received a copy of his comments and a letter from the Federal Aviation Administration. Mr. Condon stated that he also has a diagram of military flight paths in this area which overlap the proposed wind farm site.

Mr. Condon stated that on August 3, 2020, the FAA issued a determination letter that the Rocky Forge project proposed no hazard to air navigation. Mr. Condon stated that he sent an appeal to the FAA on August 31 which included concerns regarding proper notification of the June 25 through August 1, 2020, public comment period not being distributed, lack of investigation identifying all military training routes through this area, and failure to file a separate aeronautical study as required due to this site being in the "red zone" which will impact air defense and homeland security radars. Mr. Condon stated that he also filed a Freedom of Information Act (FOIA) request with the FAA on August 26 and has still received no response.

Mr. Condon then stated that he received an October 14 letter from a FAA representative stating that the public notice for aeronautical studies will be reissued and they will restudy the proposals with any new comments. He noted that the FAA's website stated that the public comment period has been reopened through November 22, 2020.

Mr. Condon stated that a further detailed report has also been sent to investigate the FAA due to their "laxness" in this permitting process. Mr. Condon stated that he fears a loss of life of military and civilian aviators should the wind farm project proceed without proper vetting. He noted that this is "a military accident waiting to happen." Mr. Condon further stated that he

believes in renewable energy as long as it is vetted correctly but, in this case, that has not occurred.

The Board thanked Mr. Condon for his comments.

Mr. Martin then asked Mr. John Williamson to come forward.

He stated that Mr. Williamson recently resigned from the Economic Development Authority and the Board would like to commemorate his tenure on that organization. Mr. Martin then read the following proclamation which has been framed for presentation to Mr. Williamson:

WHEREAS, Mr. John B. Williamson, III, served as a member of the Botetourt County Economic Development Authority from January 2018 through July 2020; and,

WHEREAS, during his tenure with the Authority, Botetourt County announced the location of Pratt Industries in Botetourt Center at Greenfield and the expansions of Metalsa and Maag Gala in the County; and,

WHEREAS, also during his tenure, Mr. Williamson assisted in the County's efforts to diversify its economic development tax base and worked on an EDA subcommittee to oversee the design and construction of the new Colonial Elementary School; and,

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

WHEREAS, Mr. Williamson'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 2½ years of service given by Mr. John B. Williamson, III, to the citizens of Botetourt County through his service on the Botetourt County Economic Development Authority.

FURTHER, the Board wishes Mr. Williamson all the best in the future.

Mr. Williamson thanked Mr. Martin and the Board for this proclamation.

Mrs. Nicole Pendleton, Director of Community Development, then stated that her Department nominated Mr. Billy Martin for an individual award from the American Planning Association for his work in furthering planning efforts in the County, region, and State. Mrs. Pendleton stated that Mr. Martin has been a tireless advocate for local and regional planning efforts that allowed residential, commercial, and industrial growth to occur during his tenure on the Board of Supervisors.

She noted that Mr. Martin has also been an advocate for the region's citizens and has served on the Roanoke Valley/Alleghany Regional Commission, the Transportation Planning Organization, and served as President of the Virginia Association of Planning District Commissions.

Mrs. Pendleton then presented Mr. Martin with the Cardinal Award for Legislator of the Year from the American Planning Association.

Mr. Martin thanked Mrs. Pendleton for presenting this award. He noted that it is a surprise and he appreciates its receipt. Mr. Martin stated that planning is a team effort between the Board of Supervisors and County staff to get things accomplished. He noted that they work hard to make the County successful.

Chief of Fire and EMS Jason Ferguson was then present to recognize the Blue Ridge Volunteer Rescue Squad.

Chief Ferguson stated that this is a bittersweet moment for him and the County. He noted that earlier this month, the Blue Ridge Rescue Squad ceased to respond to emergency calls due to a lack of membership availability. Chief Ferguson noted that a proclamation has been drafted memorializing the squad's history and framed for presentation today.

He noted that Mr. Adam Murray, Rescue Chief, and Ms. Donna Wingfield, Secretary, with the Blue Ridge Volunteer Rescue Squad were present.

Chief Ferguson then read the proclamation as follows:

WHEREAS, after the already-establish Blue Ridge Volunteer Fire Department and a group of citizens in the Blue Ridge community recognized a need for local emergency medical services, the Blue Ridge Volunteer Fire Department and Rescue Squad, Inc., was incorporated in 1981; and,

WHEREAS, the newly formed component of the organization immediately began serving those living in and traveling through Blue Ridge and the surrounding areas of Botetourt County; and,

WHEREAS, this Rescue Squad quickly became one of the most advanced and highly trained emergency medical services agencies in the area; and,

WHEREAS, countless lives have been saved or impacted for the better because of the dedicated service of the men and women who have volunteered with the Rescue Squad; and,

WHEREAS, over the nearly forty years of service to the residents, businesses, and visitors of the Blue Ridge area, the Rescue Squad has prided itself on excellent patient care, innovation through the initial implementation of the area's first mobile simulation ambulance, and service as an active component of the public safety community; and,

WHEREAS, the Blue Ridge Volunteer Rescue Squad has more recently been faced with the ever-growing challenge of recruiting and retaining volunteer personnel; and,

WHEREAS, on October 1, 2020, due to lack of volunteer personnel to continue to serve the community with pre-hospital, emergency medical services, the Rescue Squad component of the Blue Ridge Volunteer Fire Department and Rescue Squad, Inc., decided to cease the provision of 24/7 emergency medical services;

NOW, THEREFORE, BE IT RESOLVED, that we, the Board of Supervisors of Botetourt County wishes to recognize the nearly forty years of dedicated service that the Blue Ridge Volunteer Rescue Squad provided to the Blue Ridge community and express sincere gratitude for the service of the men and women who so thanklessly gave of their time so that others may live.

Mr. Martin thanked Mr. Murray, Ms. Wingfield, and the many other members who served with the Blue Ridge Rescue Squad over the years for their service to the County. Mr. Martin noted that he joined this Squad when he first lived in the County and remembers the good and bad times and the rescue calls that helped people in need. Mr. Martin stated he hopes that, in the future, adequate volunteers might be found to allow the Squad to become operational again.

Mr. Sloan stated that he was also a previous member of the Blue Ridge Rescue Squad and displayed his light blue membership jacket. He noted that approximately 30 citizens got together during the first month of the Squad's operation. Mr. Sloan stated that it is hard to see the organization end "but it is the life we are in now."

Mr. Sloan thanked Mr. Murray and Ms. Wingfield for being present at today's meeting. He noted that the Squad has had many good members over the years and he will have a lot of lasting memories of his time with the organization.

Dr. Scothorn noted that this is a bittersweet and unfortunate situation and he wants to assure the residents of Blue Ridge that this area will be served by County emergency services staff in the best possible manner in the future.

Dr. Bailey thanked Mr. Murray and Ms. Wingfield for all that they have done for the County's emergency services system.

Mr. Murray and Ms. Wingfield thanked the Board for this presentation.

Mr. Martin then noted that Dr. James Cook was present at the meeting.

Dr. Cook stated that he is the new Executive Director of the Dabney S. Lancaster Community College Educational Foundation. He noted that Ms. Rachel Thompson previously held this position. He also noted that Mrs. Michelle Crook, Chair of the Botetourt County School Board, is the Foundation's President.

Dr. Cook stated that he is present today to introduce himself to the Board and to thank them for their previous donations to the Foundation. He stated that they are a small foundation in a rural area but DSLCC has many students from Botetourt County. He further noted that they have seen an increase in their enrollment since the pandemic with many students taking classes from home.

Dr. Cook stated that, in the next week or so, the Governor is expected to announce funding availability to help students who wish to begin their college education next semester. Dr. Cook stated that 135 students have received scholarships from the Foundation this year; 12 from northern Botetourt County and 9 who received approval for payment of all their education-related costs through the Dabney Promise program.

After discussion, Dr. Cook thanked the Board for what they do to help Dabney's students and for their vision that education is important to the County's residents.

Mr. Martin congratulated Dr. Cook on his appointment and wished him success in the future.

On motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 20-10-03)

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 22, 2020; and

Approval of designation of Mr. Gary Larrowe as the County's proxy voting delegate for the VACo annual meeting.

A public hearing was then held on a proposed amendment to the FY 21 budget for the continuation of projects begun in FY 20. Mr. Tony Zerrilla, Director of Finance, stated that, per the Code of Virginia, the County is required to conduct a public hearing on any amendment to the fiscal year budget which is larger than 1% of the approved budget allocation.

Mr. Zerrilla stated that County staff and the General Fund Budget Subcommittee met on October 5 and reviewed departmental and Capital Improvement Plan (CIP) requests for reappropriation of funds from the FY 20 budget to the FY 21 budget for projects that were not completed in FY 20.

He noted that a listing of the recommended reappropriation requests, totaling \$1,494,398, was included in the Board's information packet. He noted that \$564,884 of these requests were from the General Fund and \$929,514 were from the CIP with a majority for Fire/EMS related projects, receipt of State grant funds, and a \$150,000 transfer to the Economic

Development Authority. Mr. Zerrilla stated that the CIP projects include funding for tax software, County website design, a facility master plan for the Circuit Courthouse study project, radio system replacement plan, and Historic Greenfield preservation project matching funds.

Mr. Zerrilla noted that two FY 20 reappropriation requests (\$1,273,054) had previously been approved by the Board for the County office relocation to Greenfield and the 2019 broadband project which included both State and County funds.

After discussion, Mr. Zerrilla stated that approximately \$3.3 million in unspent FY 20 budget funds would revert to the County General Fund.

After questioning by Mr. Martin, it was noted that the Board members had no questions regarding this matter.

After questioning by Mr. Martin, it was noted that there was no one present either in person or on the telephone to speak regarding this hearing. 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 listing of proposed amendments to the FY 21 budget for the continuation of projects begun in FY 20. (Resolution Number 20-10-04)

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 are 3 transfers, 9 pass through appropriations, and 4 regular appropriations for the Board's consideration. He noted that these were for quarterly recurring transfers, expenditure reimbursements, receipt of grant funds, insurance proceeds, donations, and an appropriation for a transfer to the EDA.

Mr. Zerrilla stated that the regular appropriations are for the purchase of a replacement Library courier van and to fund the hiring/training of up to 7 full-time equivalent positions for the Blue Ridge Rescue Squad. He noted that a \$200,000 additional appropriation will be brought before the Board next month to complete the needed funding for these positions.

Mr. Zerrilla noted that the appropriations of CARES Act funds will be used to purchase six school buses and new HVAC equipment to improve air quality in various County schools.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the following transfers and additional appropriations: (Resolution Number 20-10-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$97.80 to Central Purchasing – Store Supplies, 100-4012530-12530-6021-000, from various departments as follows for store supplies usage:

\$39.00 Central Garage – Office Supplies, 100-4012560-12560-6001-000
 \$19.80 Finance – Office Supplies, 100-4012430-12430-6001-000
 \$39.00 Waste Mgmt. – Office Supplies, 100-4042400-42400-6001-000

Transfer \$653.62 to Central Purchasing – Pool Car Transfers, 100-4012530-12530-6020-000, from various departments as follows for fuel usage:

\$ 9.71 Treasurer – Fuel, 100-4012410-12410-6008-000
 \$ 9.24 Comm. Of Revenue – Fuel, 100-4012310-12310-6008-000
 \$ 11.52 Purchasing – Vehicle Repairs, 100-4012530-12530-3312-000

\$ 11.62 Technology Svces. – Fuel, 100-4012510-12510-6008-000
 \$ 15.62 County Administrator – Fuel, 100-4012110-12110-6008-000
 \$144.10 Comm. Devel. – Fuel, 100-4081200-81200-6008-000
 \$ 11.52 Economic Devel. – Fuel, 100-4081500-81500-6008-000
 \$440.29 Van Program – Fuel, 100-4071500-71500-6008-000

Transfer \$432.09 to Sheriff's Department – Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from various departments as follows for vehicle repairs at the County Garage:

\$74.19 Animal Cont.–Veh. & Power Equip Supp., 100-4035100-35100-6009-000
 \$56.40 Comm. Devel. – Rep. & Maint. Veh., 100-4081200-81200-3312-000
 \$74.38 Fire & EMS – Rep. & Maint. Vehicles, 100-4035500-35500-3312-000
 \$38.09 Purchasing – Rep. & Maint. Vehicles, 100-4012530-12530-3312-000
 \$22.37 Library – Rep. & Maint. – Veh., 100-40731000-73100-3312-000
 \$89.77 Maint. – Rep. & Maint. Veh., 100-4043000-43000-3312-000
 \$19.10 Recreation – Veh. & Power Supplies, 100-4071100-71100-6009-000
 \$57.79 Van Program – Rep. & Maint. Vehicles, 100-4071500-71500-3312-000

Additional appropriation in the amount of \$4,684.30 to Waste Management – Professional Services, 100-4042400-42400-3100. This is a reimbursement from County Waste for annual fees charged by the Commonwealth of Virginia – DEQ.

Additional appropriation in the amount of \$7,500.00 to Fire & EMS – Capital Outlay – Other Capital, 100-4035500-35500-8012. This is for the receipt of annual federal Local Emergency Management Performance Grant federal funds.

Additional appropriation in the amount of \$3,000.00 to Sheriff's Dept. – Anti-Drug Education, 100-4031200-31200-5860. This is a donation from New River Electrical Corporation.

Additional appropriation in the amount of \$2,010.72 to Sheriff's Dept. – DMV Salaries, 100-4031200-31200-1800. These are DMV grant funds for deterring high speeds and driving under the influence of alcohol.

Additional appropriation in the amount of \$5,057.94 to Animal Control – Vehicle Repairs, 100-4035100-35100-3311. This is for insurance reimbursements from VACoRP for repairs to vehicles.

Additional appropriation in the amount of \$3,788.57 to the following Sheriff's Department accounts: \$1,740.00 to Forest Patrol Salaries, 100-4031200-31200-1900; \$133.11 to FICA, 100-4031200-31200-2100; \$300.00 to Overtime, 100-4031200-31200-1200; \$1,367.64 to Vehicle Supplies, 100-4031200-31200-6009; and \$247.82 to Subsistence & Lodging, 100-4031200-31200-5530. These are reimbursed funds received for Forest Patrol, extradition, overtime, and uniform contract expenses.

Additional appropriation in the amount of \$3,689.96 to the following Correction & Detention accounts: \$2,813.96 to Medical & Lab Supplies, 100-4033100-33100-6004; \$476.00 to Uniforms, 100-4033100-33100-6011; and \$400.00 to Food Supplies, 100-4033100-33100-6002. The first item is for medical reimbursements from Craig County regarding inmate medical care, the second is for Social Security incentive payments, and the third item is for contract payments.

Additional appropriation in the amount of \$25.00 to Library – Books & Subscriptions, 100-4073100-73100-6012. These are donated funds from the Fincastle Tuesday Morning Club.

Additional appropriation in the amount of \$1,715.00 to Transfers to EDA, 100-4091800-91800-3800. This for the payment of a Murray Road VDOT improvements project invoice.

Additional appropriation in the amount up to \$25,000.00 to Library – Capital Outlay – Motor Vehicles/Equipment, 100-4073100-73100-8005. This appropriation is for a courier van to replace an existing van with approximately 250,000 miles that is in need of significant repairs and replacement of parts.

Additional appropriation in the amount of \$148,000.00 to Fire & EMS – 100-4035500-35500. This is to provide funding for the hiring of up to 7 full-time equivalent positions to send to the Fire & EMS Academy for training and staffing the Blue Ridge Station on a 24 hour/7 days per week basis due to the ceasing of operations of the Blue Ridge Volunteer Rescue Squad as of October 1, 2020. Funding includes \$58,500 for additional part-time salaries to continue to support staffing out of the Blue Ridge Station through FY21. This partial appropriation of \$148,000.00 will be combined with an additional appropriation of approximately \$200,000.00 next month.

Additional appropriation in the amount of \$533,486.00 to School Operating Fund – Fund 200. This is to provide budget coverage for the purchase and payment for six school buses that will be funded by CARES Act funds received by the County.

Additional appropriation in the amount of \$301,180.00 to School Operating Fund – Fund 200. This is to provide budget coverage for the purchase of HVAC equipment relating to an air quality improvement project that will be funded by CARES Act funds received by the County.

Consideration was then held on approval of the accounts payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$3,036,162.88, which includes \$1,585,000 in CARES Act expenditures.

He noted that this month's large expenditures included \$85,204 to the Botetourt County Health Department and \$38,300 to Visit Virginia's Blue Ridge for their second quarterly budget payments; \$136,782 to the Economic Development Authority for a progress payment to Craig-Botetourt Electric Cooperative (CBEC) for phase 1 of the broadband project; and \$122,785 to F&S Building Renovations for work on the Greenfield renovation project. He noted that this month's CARES Act disbursements include a \$786,282 transfer to the EDA for a payment to CBEC for phase 2 of the broadband project and \$533,486 to the School Board for the purchase of six school buses.

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 20-10-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 3:01 P. M.

A public hearing 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 0.375 mile length of right-of-way on Ellis Run Road.

A public hearing was also held on a request from Thomas A. Wilbon, III, and Gary W. McFarland, Sr., to abandon/vacate a 0.375 mile length by 30' wide right-of-way on Ellis Run Road.

Mrs. Nicole Pendleton, Director of Community Development, stated that there are two different public hearing actions before the Board on this issue today—one regarding an amendment to the Comp Plan's Transportation map regarding the abandonment/vacation of a 0.375 mile length of Ellis Run Road's right-of-way, and the other is to formally abandon/vacate this

0.375 mile right-of-way. She noted that the Planning Commission had recommended approval of the Comp Plan map amendment.

Mrs. Pendleton noted that in 2013 the Board of Supervisors approved the discontinuance of maintenance of this 0.375 mile section on the southern end of Ellis Run Lane; however, the right-of-way was never formally abandoned/vacated. She noted that the applicants are requesting formal abandonment of this easement for public use and have stated that they will maintain the 30' easement for access to the properties affected by the abandonment.

Mrs. Pendleton stated that the Planning Commission questioned if any property owners on this 0.375 mile section of Ellis Run Lane would be landlocked by this roadway abandonment. She stated that this would not be the case as the property in the to-be-abandoned section is owned by Mr. Wilbon and Mr. McFarland and their families.

She noted that public comments were received in opposition to this request prior to today's Supervisors meeting and Ms. Lois Bisese also spoke in opposition to this matter earlier in this meeting. Mrs. Pendleton noted that one citizen requested that a study be done to provide assistance to the Fringer Trail residents who are impacted by this road's abandonment.

After discussion, Mrs. Pendleton stated that the first request before the Board today is consideration of removal of this section of road from the Comp Plan's Transportation Map. She noted that the second public hearing is a request to formally abandon this 0.375 mile right-of-way.

After questioning by Mr. Sloan, Mrs. Pendleton stated that the second request is for the County to formally abandon this right-of-way.

After questioning by Mr. Martin, Mrs. Pendleton stated that there is no passable vehicular access on this section of Ellis Run Lane at this time. She noted that VDoT discontinued maintenance of this section in 2013 it is basically a "paper street" at this time.

Mr. Sloan noted that he recently visited Ellis Run Lane and there are trees and brush growing in the right-of-way and a creek running down the discontinued roadway section. Mr. Sloan stated that vehicles cannot access Ellis Run from its western/southern intersection with Fringer Trail; however, vehicles can access Ellis Run from the eastern intersection with Fringer Trail.

Mr. Sloan further noted that he was only able to drive to the bridge on Ellis Run as there was a truck parked on the roadway blocking access. He stated that he has driven Fringer Trail several times and will discuss maintenance of this roadway with VDoT's representative later in the meeting.

After questioning by Dr. Scothorn, Mr. Sloan stated that he was only able to drive to the end of State Maintenance on Ellis Run as there was a truck blocking access to the remainder of the roadway. Mr. Sloan stated that he is concerned about the residents in this area being trapped if there is a blockage on the remaining section of Ellis Run. Mr. Sloan noted that the Ellis Run residents are in favor of closing the road and have stated that they will maintain the roadway after it is abandoned.

Mr. Martin stated that he does not want to vote on an issue that would hurt someone or get a property owner trapped if the only way out is blocked.

Mr. Sloan stated that there are upward slopes on both ends of Fringer Trail which are difficult to navigate by residents and Fire/EMS vehicles in snow/ice and using Ellis Run as a through road is no longer an option.

After questioning, Chief of Fire and EMS Jason Ferguson stated that he would be glad to view these two roadways to determine whether there are any accessibility issues for fire/EMS vehicles when responding to calls.

Dr. Scothorn stated that he would be willing to table these two public hearings to allow further review by the Board and staff.

Mr. Tom Wilbon, applicant, stated that there is a private bridge on the western end of Ellis Run that he constructed to allow access to the McFarland property further along the roadway. He noted that there are trees growing in the discontinued section of Ellis Run and the creek which runs along the road has changed its course and is now running down the right-of-way.

Mr. Wilbon stated that the Board discontinued maintenance on this small section of Ellis Run in 2012 and made some upgrades to Fringer Trail. Mr. Wilbon stated that “we live in the mountains and there will be inclines” in mountainous areas. Mr. Wilbon stated that he donated property in 2012/2013 to allow the Fringer Trail upgrades to be completed which included 3/10 of a mile of the road being paved.

Mr. Wilbon stated that his requests “are a matter of paperwork” and is an attempt to finish the remaining steps to abandon this 0.375 mile of right-of-way. Mr. Wilbon estimated that it would cost \$1 million to bring the 0.375 mile section of Ellis Run up to VDoT standards for re-acceptance into the Secondary System.

He noted that Mrs. Pendleton and the County Attorney have conducted an exhaustive study of this request prior to today’s public hearing.

After questioning by Dr. Scothorn, Ms. Lois Bisese of Fringer Trail, stated that Ellis Run was last used by the public in 2011 prior to 2 severe flooding events in this area. She noted that when the Board of Supervisors considered the discontinuance request in 2013, “it did not matter what they (the area residents) said, the decision was already made.”

Ms. Bisese stated that 11 property owners are impacted when there is snow/ice on either end of Fringer Trail. She encouraged the Board members to drive this hilly roadway. She further noted that the closure of Ellis Run has affected the Fringer Trail property owners.

Mr. Clinton stated that he needs to see the area in question before making a decision on these requests. Mr. Martin agreed with Mr. Clinton’s statement.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Clinton, and carried by the following recorded vote, the Board tabled the public hearings on the requests from Thomas A. Wilbon, III, and Gary W. McFarland, Sr., to amend the Comprehensive Plan’s Transportation map regarding the abandonment/vacation of a 0.375 mile length of right-of-way on Ellis Run Road and to abandon/vacate a 0.375 mile length by 30’ wide right-of-way on Ellis Run Road for up to 90 days. (Resolution Number 20-10-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn thanked Mr. Wilbon for providing the right-of-way in 2013 to improve the curve on the southern end of Fringer Trail.

Mrs. Nicole Pendleton, Director of Community Development, then updated the Board on the Apex Rocky Forge wind project. She noted that County staff met with Apex’s design team on September 30 for a pre-application meeting. Mrs. Pendleton stated that Apex indicated that

they intend to file subdivision and site plan applications with the Community Development office in early November.

She noted that the preliminary site plan previously submitted by Apex was reviewed by staff and deemed to be incomplete. She noted that staff is awaiting additional submittals from Apex.

Mrs. Pendleton stated that on October 16, 2020, the Virginia Department of Environmental Quality approved Apex's Permit By Rule application for this wind energy facility. She noted that a copy of the plan documents has been submitted to the County.

Mr. Clinton then questioned if staff is becoming "nervous" on Apex's limited progress to date in obtaining needed approvals. He noted that the County has a lot at stake with this project. Mr. Clinton stated that he is concerned that, if Apex continues to miss deadlines in the submittal of acceptable documents and fails to keep up with expected progress on the project, it will not be completed.

He noted that delays put more pressure on County staff to quickly approve the applications that are submitted. Mr. Clinton stated that the County does not want to be put in the position of missing a date for approval due to a lack of progress in completing needed permit applications.

He encouraged staff to be "more diligent" in encouraging Apex to make progress on the required applications. Mr. Clinton stated that Apex has the financial risk on this project and, from what he can see, this process has not started very well. He requested that staff ask more questions and be more demanding on what Apex needs to submit for consideration.

Mr. Martin agreed with Mr. Clinton's comments.

Dr. Bailey then questioned if Mrs. Pendleton sees any problem with her staff meeting Apex's needs in eventually obtaining these subdivision and site plan approvals.

Mrs. Pendleton stated that a site plan review is only as good as the information received by her department. She noted that site plans can go through anywhere from 3 to 11 submittals over the course of this review/approval process. Mrs. Pendleton further noted that the State Code requires local planning offices to review a site plan over a period of 90 days of review time pending reviews of completeness.

After further questioning by Dr. Bailey, Mrs. Pendleton stated that, if these applications and plans are substantially complete, meet the County Code requirements and the Special Exception Permit's conditions, it will be a smoother review process than if these requirements are not met.

After questioning by Mr. Clinton, Mrs. Pendleton stated that there are two separate components that Apex has to submit to the County for approval—plats and plans pertaining to construction of the road, and a site plan and building permit application for the wind towers. She noted that Apex has said that they intend to submit all these documents next week.

After further questioning by Mr. Clinton, Mrs. Pendleton stated that no documentation from Apex regarding access to the site has been provided to her office as of this time.

There being no further discussion, the Board thanked Mrs. Pendleton for this update.

Mr. Clinton then updated the Board on the recent actions of the Monuments and Memorials Committee. He noted that the full committee met last Thursday and made significant progress by reaching a determination that the monument in front of the Circuit Courthouse should

be relocated. He noted that there was some debate within the Committee on whether the canons should be included in the relocation. Mr. Clinton stated that these peripheral items are not part of the obelisk.

Mr. Clinton stated that the Committee plans to contact the Town of Fincastle to obtain their opinion on where the monument should go—a cemetery located in the Town or elsewhere in the County.

Mr. Clinton noted that the Committee also plans to address how to change the current site, i.e., make it a companion monument. Mr. Clinton stated that discussion was held on whether the architectural firm hired to conduct a study on the Circuit Courthouse renovation should be included in these deliberations.

After discussion, Mr. Clinton stated that the Committee hopes to have their final report submitted at the Board of Supervisors' January 2021 regular meeting.

Mr. Clinton noted that there are several options regarding location of the obelisk and what the Courthouse site will look like after the monument is removed. He noted that the Committee also hopes to have an estimate of the cost to relocate the obelisk and reconfigure the Courthouse monument site in time to be considered in the County's FY 21-22 budget deliberations.

Mr. Clinton stated that the second duty of the Committee was to review the racial harmony statement adopted by the Supervisors in June to see if revisions were needed. He questioned if the County's Human Resources Department should be responsible for this issue. Mr. Clinton stated that proposed statement changes from the HR Department could be submitted to the County Administrator for review then brought before the Supervisors for consideration.

Dr. Scothorn suggested that Mr. Clinton's request be considered as a motion by the Board.

Mr. Clinton then made a motion, seconded by Dr. Bailey, that the Board retract the task of drafting an umbrella statement on anti-racism from the duties assigned to the Monuments and Memorials Committee. (Resolution Number 20-10-08)

After discussion, Mr. Larrowe stated that the County could review the language of the statement adopted by the Board in June and suggest modifications to the Committee for review prior to its presentation to the Supervisors.

Mr. Clinton stated that some kind of policy behind the statement is needed.

Mr. Larrowe stated that the County employee handbook includes language regarding anti-discrimination and diversification which can be considered for incorporation into a revised anti-racism statement.

There being no further discussion, the Board voted on the above resolution as follows:

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

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Bailey then updated the Board on the recent actions by the CARES Act Committee. He noted that the Committee has been busy over the last few months. He stated that the County has received a total of \$5.8 million in CARES Act funds which are required to be spent by December 30, 2020.

Dr. Bailey stated that the Committee meets on a regular basis to discuss/approve the allocation of these funds and are “doing their best” to spend all of these funds by the end of the year on items to assist the County and its residents in dealing with the impacts of the pandemic.

He noted that the County is very close to spending most of these funds as 95.6% has been spent to date on public health, business assistance grants, public safety, and broadband expansion projects. He noted that 53% of the total amount has been allocated to private telecommunication providers for broadband expansion projects.

Dr. Bailey stated that there are several projects currently ongoing including the expansion of the Greenfield Education and Training Center’s data center, purchase of public assistance transport vehicles for the Senior Citizens Van Program, renovations to the Registrar’s Office to protect the staff and public while voting during the pandemic (15% of total CARES funds), school buses and Chromebook computers for students (15% of total CARES funds), and updates to HVAC systems in County and school facilities.

Mr. Larowe noted that it is a challenge to have all of these projected lined up and the dollars spent in the time allocated by the federal government. He noted that the County also has to retain back-up documentation on all of these expenditures. He stated that all involved County and School staff are “pulling together” in this situation.

Dr. Bailey stated that it has been a challenging process and the County is fortunate to have access to these funds. He then thanked the County staff for the extra time that they have put in to ensure that these funds are spent on required projects.

Mr. Tony Zerrilla, Director of Finance, stated that most of these CARES Act funds have been committed to allowable projects and it is amazing that we have been able to do this in such a short time.

Dr. Bailey stated that it is a challenge to get people organized and find purposeful uses for these funds in the short amount of time given for their expenditure.

Dr. Scothorn stated that the County Administrator and his staff have conducted very good planning in how to spend these funds under the federal guidelines.

The Board thanked Dr. Bailey for this report.

Dr. Scothorn then updated the Board on the Broadband Committee’s recent actions. Dr. Scothorn stated he plans to update the Board on new broadband technology at their January 2021 meeting.

He noted that the Roanoke Valley Broadband Authority (RVBA) will soon begin work on the Greenfield to Etzler Road to Blacksburg Road broadband expansion project. Dr. Scothorn noted that this project will eventually connect to the Craig-Botetourt Electric Cooperative broadband project in the western part of the County.

Dr. Scothorn stated that the RVBA project will pass 152 homes and 3 businesses and provide wireless broadband service to approximately 500 residents in the vicinity of the Greenfield water tank. He noted that “doorhangers” will be placed on the homes/businesses along this project’s route to notify those individuals of the availability of broadband service and how they can subscribe.

After discussion, Dr. Scothorn stated that rural America is overlooked in the provision of broadband service and the County is able to use CARES Act funds to contract with private companies to expand broadband to unserved areas. He noted that competition among broadband

providers would be advantageous to provide internet, telemedicine/telehealth, educational opportunities to the County's citizens.

The Board thanked Dr. Scothorn for this report.

A public hearing was then held on the conveyance of a telecommunications utility easement on the Botetourt Sports Complex property to the Roanoke Valley Broadband Authority. Mr. Michael Lockaby, County Attorney, stated that this easement on the County-owned Sports Complex property is needed in order for the RVBA to extend their broadband fiber optic line from International Parkway to Etzler Road. He noted that this easement will generally parallel the dirt road which allows County maintenance vehicles to access International Parkway from the Sports Complex property.

Mr. Lockaby further noted that the RVBA will also need to obtain an easement from the Economic Development Authority to extend a fiber optic line from International Parkway to the Greenfield water tank to allow wireless broadband equipment to be installed. He noted that this easement is on EDA-owned property.

After questioning by Mr. Martin, it was noted that there was no one present either in person or on the telephone to speak regarding this matter. The public hearing was then closed.

On motion by Mr. Sloan, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted a motion approving the deed of easement between the County and the Roanoke Valley Broadband Authority for a telecommunications utility easement from International Parkway in Botetourt Center at Greenfield through the Sports Complex property to Etzler Road and directed the County Administrator to sign the deed on the County's behalf. (Resolution Number 20-10-09)

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 then reviewed VDoT's monthly report. He stated that the Route 220 safety improvement project is continuing and is on schedule for completion in fall 2021. He noted that there continue to be delays in replacing the decking on the Ball Park Road bridge rehabilitation project. Mr. Varney stated that it is now estimated that it will be 3 – 4 weeks before this project is completed.

Mr. Varney stated that the I-81 safety improvements in the Arcadia area are on now hold until spring when paving can be completed. He noted that his office is still awaiting an answer from VDoT's District Office on the proposed paving schedule for 2021 which was impacted by a \$300,000 reduction in funding. Mr. Varney noted that several site plan reviews have been conducted in the past month or VDoT is awaiting resubmittal of revised plans.

Mr. Varney stated that VDoT has had an issue regarding utility relocations on the Murray Drive improvement project which has put this work behind schedule and resulted in their contractor being pulled off the job. He noted that the private water company has now begun work on relocating the water line within the right-of-way.

Mr. Varney further stated that they believe that part of Murray Drive includes a prescriptive easement which means that the adjoining private landowner owns to the center of the roadway. He noted that they are trying to work through this issue. Mr. Varney explained that, with a

prescriptive easement, VDoT does not own the road area and, therefore, cannot give the water company an easement for placement of their infrastructure. He noted that it was a “surprise” to VDoT staff that a portion of this right-of-way is contained in a prescriptive easement.

Mr. Varney then stated that it will be approximately 4 weeks before the contractor can return to the Murray Drive project and it will then take them 2 – 3 weeks to finish their work, if they can pave the roadway before the asphalt plant shuts down for the winter. Mr. Varney noted that, if this goes as planned, the contractor may be able to relocate his equipment to the Stone Coal Road project in late winter/early spring.

After discussion, Mr. Varney stated that additional maintenance work, including mowing, has been done at Exit 150. He noted that VDoT advertised a request for bids for additional landscaping on the former truckstops site and these bids are due on November 12. He stated that some landscaping work is proposed to be done this fall and in the spring on this site. Mr. Varney also noted that VDoT is working with the Sheriff to have inmates conduct roadway maintenance/trash collection in this area.

Mr. Varney then noted that a listing of area headquarters’ in-house projects for grading gravel roads/adding stone, pavement patching, brush trimming, pipe replacements, etc., was also included in his monthly report.

After questioning by Mr. Clinton, Mr. Varney stated that there are no future plans to improve the section of Country Club Road from Blacksburg Road to Haymakertown Road. He noted that any improvements to this roadway would have to be funded with Tele-fees which, due to the small amount allocated each year, would take some time. Mr. Varney further stated that, if there is an identified safety reason for roadway improvements, VDoT can work with County staff to submit a funding application through the SmartScale program.

Mr. Sloan then presented Mr. Varney with a citizens’ petition requesting that safety improvements/paving be conducted on Fringer Trail (Route 645). He noted that discussions pertaining to Fringer Trail were brought up earlier in the meeting when the request to vacate a portion of Ellis Run Lane was discussed.

He noted that this petition was provided by Mrs. Beverly Cole and contains the signatures of 31 Fringer Trail residents who are concerned about the problems of dust and increased traffic from logging trucks and other large vehicles on this narrow road. Mr. Sloan noted that the Board members plan to visit Fringer Trail in the next couple of weeks.

Mr. Sloan stated that he has also been told that all-terrain vehicles and hunters are using the road. He noted that this road needs to be reviewed to see if any improvements can be made and also have it discussed at a Transportation Safety Commission meeting.

Mr. Varney stated that he will be glad to look into this issue and travel the roadway with the Board members to see what maintenance can be done.

Mr. Martin then scheduled a meeting with Mr. Varney for Friday morning to visit two roadways on which citizens had contacted him regarding maintenance issues.

There being no further discussion, the Board then thanked Mr. Varney for all of his work for the County.

Consideration was then held on staff rankings of RFPs received for planning/design services for an addition to the Greenfield Education and Training Center. Mr. David Moorman, Deputy County Administrator, stated that the County received 8 proposals for architectural and engineering planning and design services for an expansion of the ETC for Virginia Western

Community College's (VWCC) use and for conceptual master planning and schematic design for a potential future expansion of the County's offices in this building.

He noted that a committee consisting of Supervisors member Ray Sloan, Economic Development Authority Chair John Kilby, VWCC representative Kevin Witter, Purchasing Manager Susan Tincher, Capital Projects Manager Jim Whitten, and himself reviewed and scored all proposals and selected three firms to interview. He further noted that the review committee ranked all 8 proposals and the top three are as follows: Architectural Partners, Hughes Associates, and Moseley Architects.

Mr. Moorman stated that the committee is requesting authorization to begin contract negotiations with the top ranked firm and, if successful, the committee will bring the contract to the Board for consideration of approval at a future meeting. He noted that, if negotiations with the top-ranked firm are not successful, that firm will be eliminated from further consideration and the committee will enter into negotiations with the next-ranked firm, with the process continuing until a satisfactory agreement is reached or a determination is made to reject all proposals.

Mr. Sloan stated that the committee members did a lot of work reviewing these RFPs.

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 ranking of proposals for architectural and engineering planning and design services for an expansion of the Virginia Western Community College (VWCC) Education and Training Center at Greenfield and for the conceptual master planning and schematic design of the potential future expansion of the Botetourt County Administration Center in response to RFP #20-22770, as recommended: Architectural Partners; Hughes Associates; Moseley Architects; Crabtree, Rohrbaugh & Associates; Train Architects; Burns & McDonnell; Interactive Design Group; and Spectrum Design, and authorized the project evaluation team to negotiate a satisfactory contract pursuant to the terms and conditions of RFP #20-22770 for Board consideration or, failing to do so, to reject all proposals and issue a new RFP as the team sees fit consistent with the goals of the original RFP. (Resolution Number 20-10-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A staff update was then given on the County office relocation to Greenfield and the Circuit Courthouse planning study project.

Mr. David Moorman, Deputy County Administrator, stated that F&S Building Innovations was awarded the contract to renovate the Education and Training Center for County offices. He noted that this work is essentially complete except for the punch list items. Mr. Moorman noted that the County's IT Department moved into their new office space last Friday and other County offices will be relocated to Greenfield in the first two weeks of November with the Treasurer, Commissioner of Revenue, and Financial Services scheduled to move in the first week of December. He stated that this project went smoothly and the final walk-through is scheduled for tomorrow.

Mr. Moorman stated that this building will have new ways of operating including security and safety measures which include a security/reception desk in the main lobby, an employee

key-card access system, panic and fire alarm systems, and HVAC improvements for air purification. He noted that having all of these offices under one roof will be convenient for the public and the facility has plenty of parking and is handicapped accessible.

Mr. Moorman noted that change orders totaled only 1.5% of the total construction contract amount.

Regarding the Circuit Courthouse planning study, Mr. Moorman stated that the Supervisors approved of a contract with Architectural Partners for this conceptual design work. He noted that a steering committee consisting of himself, Supervisors Bailey and Clinton, Circuit Court Judge Joel Branscom, Circuit Court Clerk Tommy Moore, Commonwealth's Attorney John Alexander, Fincastle Mayor Mary Bess Smith, the County Administrator, Voter Registrar Traci Clark, Sheriff's Department Lieutenant Michelle McCadden, Maintenance Director Ricky Dowdy, Capital Projects Manager Jim Whitten, and Purchasing Manager Susan Tincher held their first meeting on October 9. He noted that the committee invited Weldon Martin, President of the Botetourt Historical Society, to join the group and he has agreed to do so.

He noted that discussions at the October 9 meeting included the overall plan and project schedule which will result in a planned public presentation of the study report at the Board's March 23, 2021, meeting. Mr. Moorman stated that additional committee meetings will be scheduled over the next four months with the November 13 meeting being held to review the project's needs assessment and projections.

Dr. Bailey stated that this project is a huge undertaking, it will be years in the making, and deserves a lot of thought.

There being no further discussion, the Board thanked Mr. Moorman for these reports.

Consideration was then held on a request for advertisement of a public hearing on amendments to Chapter 25. Taxation of the Botetourt County Code regarding the Meals Tax and Transient Occupancy Tax Ordinances. Mr. Bill Arney, County Treasurer, stated that the County has had Meals Tax and Transient Occupancy Tax ordinances for many years; however, they have not been updated in some time.

Mr. Arney stated that, prompted by the purchase and implementation of new tax software and an on-line tax payment system, he and the Commissioner of Revenue, Chris Booth, have reviewed these ordinances, and have worked with the County Attorney on needed amendments. He noted that they have identified several areas that need to be updated for clarity including revisions to the tax collection enforcement procedures.

Mr. Arney stated that these proposed revisions will have little impact on the County's restaurant and hotel/motel businesses. He noted that other than amendments to bring the ordinances into compliance with the Code of Virginia, they are proposing to change the due date for the Meals Tax, which is currently the twentieth day of the following month in which the taxes were collected, so that it is consistent with the Transient Occupancy Tax due date ("...the last day of the month following each month and covering the amount of tax collected during the preceding month.")

Mr. Arney stated that the County Attorney has reviewed these proposed amendments and requested that the County staff be directed to advertise these proposed amendments for a public hearing at the November regular meeting.

There being no discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board directed County staff to advertise for a public

hearing on amendments to Chapter 25. Taxation of the Botetourt County Code regarding the Transient Occupancy Tax and Meals Tax Ordinances at the November regular meeting. (Resolution Number 20-10-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on various appointments.

On motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Mrs. Sandra McBride as the Health Department's alternate representative on the Community Policy and Management Team for a two year term to expire on September 1, 2022. (Resolution Number 20-10-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board reappointed Mr. Robert Poyner to a four year term as the Blue Ridge District representative on the Library Board of Trustees for a term to expire on December 31, 2024. (Resolution Number 20-10-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, the Chairman then adjourned the meeting at 4:30 P. M. until 6:00 P. M.

The Chairman called the meeting back to order at 6:04 P. M.

A public hearing was then held on a request in the Buchanan Magisterial District from Dustin C. and Kacy B. Ruley for a Special Exception Permit, with possible conditions, for a private dog kennel for up to five (5) dogs in the Agricultural Residential (AR)/Rural Residential (RR) and Agricultural (A-1) Use Districts on a 4.449-acre parcel located at 2462 and 2466 Narrow Passage Road (Route 43), Buchanan, in accordance with Section 25-583. Special Exceptions of the Botetourt County Code, identified on the Real Property Identification Maps of Botetourt County as Section 64, Parcel 120.

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

Mr. Drew Pearson, County Planner, stated that the applicants are requesting a SEP for a private dog kennel for up to five dogs on this 4.449 acre parcel located on Route 43 between James River High School and the Town of Buchanan. He noted that this property is currently split-zoned for Agricultural Residential (AR)/Rural Residential (RR) and Agricultural A-1 use.

Mr. Pearson noted that there are currently two residences on this property—the front structure in which the applicants live and a rear structure which is in the process of being demolished. He noted that there is a shed where the kennel will be located near the second structure.

Mr. Pearson then displayed an aerial photograph of the property. He noted that most of the property is heavily forested. Mr. Pearson stated that there is a home located across Route 43 from this property and several other residences in the immediate area.

Mr. Pearson stated that this SEP process began after Animal Control received a complaint about the Ruleys' barking dogs. He noted that Animal Control visited the property and discovered 5 dogs being housed in the kennel. Mr. Pearson stated that the County Code allows up to 4 dogs on each property before a SEP is required.

Mr. Pearson then displayed photographs of the site. He noted that the shed where the dogs are kept is approximately 120' from the center of Route 43 and the residence across the road from the Ruleys property is approximately 150' from the proposed 10' X 20' kennel.

After discussion, Mr. Pearson stated that there are provisions in the Animals and Fowl Ordinance which require the kennel to be at least 100' from an adjacent residence and there are also requirements concerning dogs running at large if a complaint is filed. Mr. Pearson stated that the County's Noise Ordinance also includes requirements that any noise such as a barking dog that is plainly audible for 1 minute over a 10 minute period is considered a violation.

Mr. Pearson noted that the applicant did submit several letters of support for this SEP from some of the adjoining property owners. He stated that the Zoning Office also received an e-mail from another adjacent property owner concerned with how the animals' waste is handled. Mr. Pearson noted that the applicant has stated that he stores the animals' waste in a bucket and puts lime on it to reduce the smell and help with decomposition.

Mr. Pearson stated that he has also held discussions with the neighbor who expressed concerns about this request.

Mr. Pearson then read the conditions proposed by the Planning Commission for this request: "The private kennel shall be limited to no more than five (5) dogs; Noise generated by the dogs shall not violate provisions of the Botetourt County Noise Ordinance; and the location of the existing kennel shall not be moved any closer to Narrow Passage Road, nor 100' from any adjacent property line." He noted that the Board can apply additional conditions to this request.

Mr. Pearson stated that, under the current Code requirements, if the Board approves the SEP, the provisions of the Noise Ordinance do not apply which is why the noise-related condition is being proposed.

Ms. Anne Elizabeth Adams of Narrow Passage Road then stated that she lives across the road from the Ruleys' property. Ms. Adams stated that she purchased this property approximately 25 years ago and this was a peaceful and quiet neighborhood, but this is no longer the case.

Ms. Adams stated that she does not feel that the Ruleys need 5 dogs when they have a lot of other animals on this property including roosters that crow at 4AM and sheep and goats which also make a lot of noise. Ms. Adams stated that she has called Animal Control about various issues with the Ruleys' animals and Mr. Ruley has even come onto her property shooting a gun to try to herd his guineas back onto his property.

She noted that there is also a floodlight on the Ruley property that shines into her bedroom window. Ms. Adams stated that the dogs bark a lot and she cannot leave her car and walk into her house without them barking. Ms. Adams stated that the dogs use the bathroom in the Ruleys' yard and trash is not disposed for 6 months at a time. She stated that this is a stressful situation. Mrs. Adams further stated that the applicant lied to the Animal Control Officer by saying that he had bark deterrent collars for the dogs.

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

Dr. Bailey stated that the County's Zoning Ordinance allows property owners to have 4 dogs without having to obtain a SEP. He noted that Animal Control has visited the Ruley property several times and this SEP, if approved, does not change what Animal Control can do to enforce the County's Animals and Fowl and Noise ordinances.

Mr. Pearson stated that Dr. Bailey's statement is correct.

Mr. Sloan noted that several other property owners in the immediate area had no problems with this request according to their letters of support.

Ms. Adams stated that those property owners do not live as close as she does to the Ruleys and they do not have problems with the dogs visiting their properties as she does.

Mr. Clinton noted that, if the Board denies this request, the applicants can still have 4 dogs and enforcement of the specific ordinances would still be under the purview of Animal Control.

Mr. Pearson stated that there are some Code provisions that Animal Control can use to deal with barking dogs.

Mr. Clinton stated that, from his previous experience with barking dogs, Animal Control cannot do much to stop the problem. He questioned, if the SEP is not approved, would the Zoning Department take action to have one of the dogs removed from the property.

After questioning by Mr. Martin, Mr. Pearson stated that he does not have any other complaints about this property in his file. Mr. Pearson noted that he has discussed the multiple complaints filed by Ms. Adams with Animal Control. Mr. Pearson further noted that the kennels were clean when he visited the site and there were no trash violations on the property.

After questioning by Mr. Martin, Mr. Pearson stated that this SEP is for the applicant's private kennel to house 5 dogs. He noted that they will not be allowed to keep/house other people's dogs on this property.

After discussion, Mr. Pearson stated that he does not believe that the applicant is present at this meeting.

After questioning by Dr. Bailey, Mr. Mike Lockaby, County Attorney, stated that SEPs, once approved, "do run with the land" which means that, if the land is sold, the new owner could also keep up to five dogs.

Mr. Pearson confirmed that any conditions approved by the Board with this SEP would transfer to a new landowner.

Mr. Sloan stated that Ms. Adams has had problems with 4 dogs barking and there will be more problems with 5 dogs.

After questioning by Dr. Scothorn, Mr. Lockaby stated that only 2 Virginia localities have authorization from the State to deny the ability of SEPs to transfer with the sale of property.

After discussion by the Board, Mr. Lockaby stated that the Board could add a condition to limit the number of dogs allowed to the number on the property as of today's date (October 27, 2020).

Mrs. Nicole Pendleton, Community Development Director, stated that this condition does not give/allow the applicant any more than five dogs.

Mr. Lockaby stated that the Treasurer's Office should have dog tag sales information on the Ruleys' animals

Mr. Pearson stated that he does not believe that these dogs currently have tags. He noted that, once the County approves the SEP for this kennel, Animal Control can require the Ruleys to bring their animals' shots and licenses up to date.

After discussion by Mr. Pearson, Mr. Lockaby stated that the County can require the owner to obtain dog tags within 30 days of the date of the Board meeting. It was noted that Animal Control will want to confirm that all of these dogs are licensed.

After questioning by Dr. Bailey, Mr. Lockaby stated that the Board can limit the dogs allowed on this property to the current 5 and require that they be up to date on vaccines/tags.

After discussion by Mr. Martin, Mr. Pearson stated that, if one of these dogs dies, he does not think that the Ruleys would want to go through the SEP application/hearing process again to replace that animal.

After questioning by Mr. Sloan, Ms. Adams stated that one dog barking all night long while the owners are away from home for the weekend is too much in her opinion.

Ms. Adams stated that the Ruleys are animal lovers and she thinks, if one of the dogs dies, they would pick up another dog to replace it. Ms. Adams stated that she does not think that they are good caretakers of their animals.

After questioning by Mr. Clinton, Ms. Adams stated that she is asking the Board to deter the dogs from barking.

Mr. Clinton stated that he can understand this situation and it seems like any action taken by the Board to limit the number of dogs is irrelevant as Ms. Adams will still have the current barking dog problem.

Dr. Bailey stated that, if the Board does not approve this SEP, it does not solve Ms. Adams' problem as the Ruleys would still be allowed to have 4 dogs.

After questioning by Mr. Sloan, Ms. Adams stated that she will still have a problem with 4 dogs on the Ruley property and a little more of the same problem with 5 dogs. Mr. Sloan stated that the Board is not going to cure Ms. Adams' problem by limiting the dogs' number to five.

Ms. Adams stated that she cannot sit on her front porch because the dogs begin to bark when they see/hear her.

After discussion, Mr. Lockaby stated that the Board could require the applicant to move the kennel further toward the rear of the property but they cannot require the owners to muzzle the dogs.

After questioning by Mr. Sloan, Mr. Pearson stated that, even if the kennel is moved further back on the property, there are no leash law provisions in the County Code that would prohibit the dogs running at large, so moving the kennel further back would not necessarily result in limiting the barking issue.

Mr. Lockaby stated that "at a certain point, this is going to be an enforcement item" either by Animal Control or Planning/Zoning.

After questioning by Mr. Martin, Dr. Bailey stated that there is no regulation that the dogs have to be put in the kennel.

Mr. Pearson noted that, when he visited the property, some of the dogs were inside the residence and came out into the yard with the owner.

Ms. Adams stated that, in the kennel's current location, the dogs can see traffic going by on Route 43 and, when this occurs, they start barking. Ms. Adams stated that, if the kennel was moved further back on the property, it would lessen the noise but the dogs would then bark at bears and other wildlife in the wooded area.

Dr. Scothorn stated that he thinks the applicants should be limited to the present five dogs and proposed conditions number 2 and 3 should be approved with this request.

After questioning by Dr. Bailey, Mr. Pearson stated that the County Code requires that a kennel be at least 100' away from the closest residence on an adjacent piece of property. He noted that Ms. Adams' house is 150' from the kennel's current location.

After questioning by Mr. Clinton, Ms. Adams stated that she thinks that moving the kennel further back on the property would help the barking problem as the dogs would not see her coming and going.

After questioning by Dr. Bailey, Mr. Pearson stated that the Board could require the applicant to install an opaque/wooden fence to block the dogs' view. After discussion, it was suggested that such a fence be placed on the front and left-hand, near the driveway side of the kennel.

Mr. Clinton noted that he recalls a kennel on Catawba Road that had an elaborate screen installed to block the kennel from the neighbors.

After discussion, Mr. Sloan then made a motion, seconded by Dr. Scothorn, to approve the request in the Buchanan Magisterial District from Dustin C. and Kacy B. Ruley for a Special Exception Permit for a private dog kennel for up to five (5) dogs in the Agricultural Residential (AR)/Rural Residential (RR) and Agricultural (A-1) Use Districts on a 4.449-acre parcel located at 2462 and 2466 Narrow Passage Road (Route 43), Buchanan, in accordance with Section 25-583. Special Exceptions of the Botetourt County Code, identified on the Real Property Identification Maps of Botetourt County as Section 64, Parcel 120, with the following revised conditions: (Resolution Number 20-10-14)

1. The private kennel shall be limited to no more than the five (5) existing dogs that are located on the property as of October 27, 2020.
2. Noise generated by the dogs shall not violate provisions of the Botetourt County Noise Ordinance.
3. The location of the existing kennel shall not be moved any closer to Narrow Passage Road, nor 100' from any adjacent property line, and a 6' tall solid/opaque fence shall be located on the front and the left-hand side of the kennel facing Narrow Passage Road.
4. The applicant is required to properly register and obtain County dog tags for the five (5) dogs currently located on the property within thirty (30) days of approval of this Special Exceptions Permit.

Mr. Clinton stated that he will probably be a dissenter on this motion as it appears as the Board is trying to accommodate a citizen who is not trying too hard to comply with the County's ordinances.

After discussion, Mr. Clinton stated that the big issue for him is the proximity of the kennel to Ms. Adams' home. Mr. Clinton stated that he would prefer that the kennel be moved further back on the property. He noted that a solid wall will eliminate spillover noise close-in and would probably work but, if the kennel is moved further back, it would lessen the sound of dogs barking.

There being no further discussion, the motion was approved by the following recorded vote:

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

NAYS: Mr. Clinton, Mr. Martin

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Buchanan Magisterial District from John M. & Stephanie J. Surprenant (Cellco Partnership, d/b/a Verizon Wireless, lessees) for a Commission Permit in accordance with §15.2-2232 of the Code of Virginia, in addition to a Special Exception Permit, with possible conditions, in the Agricultural (A-1) Use District in accordance with Section 25-441. Telecommunications facilities of the Botetourt County Code, to construct and maintain a non-illuminated 199-foot telecommunications facility within a 10,000 square foot ground lease area. The tower site is proposed to be accessed from Little Timber Ridge over and across the subject property by a 20-foot access and utility easement. The 25.3-acre parcel is located adjacent to 1481 Little Timber Ridge (Route 636), approximately 0.2 miles southeast of its intersection with Black Magic Farm Road (Route 636), identified on the Real Property Identification Maps of Botetourt County as Section 63, Parcel 9.

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

Mr. Peter Volosin, County Planner, stated that this request is to construct a new cellular communications tower off of Little Timber Ridge between Fincastle and Springwood. He noted that the area around the proposed tower is zoned Agricultural A-1.

Mr. Volosin then displayed aerial photographs of the area and noted that there is currently a high-capacity electrical transmission line in this immediate area. He noted that the proposed tower will be located within the tree line at the rear of Mr. Surprenant's property.

Mr. Volosin stated that Verizon Wireless is the lessee for this site and is proposing to construct a 199' tall non-galvanized steel tower. He noted that Verizon has indicated that this tower will fill in a cellular service coverage gap and then displayed a map of the area showing the existing Verizon cell towers and the proposed tower's location. Mr. Volosin stated that this tower is proposed to provide 4G wireless data and broadband services to customers living in or driving through this area. He noted that citizens would need a wireless hotspot device to connect to the tower's proposed broadband service.

Mr. Volosin then read the proposed conditions recommended by the Planning Commission for this SEP: "The proposed project must be constructed in substantial conformance to the concept plan titled "Spreading Spring Verizon Rawland" prepared by NB+C Engineering Services, sealed by John A. Daughtrey, III, Professional Engineer, on April 17, 2020, identified by site address "1481 Little Timber Ridge, Buchanan, VA 24066"; Prior to the issuance of a building permit, the applicant shall provide a structural analysis, sealed by a Virginia structural engineer that the proposed tower can support the applicant's equipment as well as four (4) additional future providers of similar equipment; All feed lines shall be installed inside the monopole and all access ports shall be sealed to prevent wildlife intrusion; No advertising shall be installed on the fencing near the ground compound; Should the antenna arrays be lowered in the future to a height that is below a removable section of the monopole, the tower owner shall then remove this upper section that is no longer in use. Regardless of the length of time any section of the monopole is removed pursuant to this condition, the tower owner may restore such sections of the monopole if needed to raise the antenna arrays to a height permitted by this special exception permit; and Noise generated by the development shall not violate provisions of the Botetourt County Noise Ordinance. All other specifications and general provisions shall be met as required by the Botetourt County Zoning Ordinance and in no instance shall the zoning conditions exempt a project from any local, state or federal development requirements, except where allowed by the Zoning Ordinance."

Mr. Volosin stated that there is adequate space on this tower for 4 additional future antennas in addition to the proposed Verizon antenna.

After discussion, Mr. Volosin stated that, since the Planning Commission meeting, the Planning Office has received one e-mail from an adjacent property owner in opposition to this request, which was included in the Board's information packet. He noted that this person was concerned about the impact that the tower would have on their viewshed and property values.

After questioning by Mr. Sloan, Mr. Volosin confirmed that the proposed location of this cell tower is close to AEP's transmission line.

Mr. Charlie Alvis, attorney with Williams Mullin representing Verizon, then displayed an aerial photograph of the site and pointed out the location of the AEP transmission line.

Mr. Alvis stated that this request is to allow Verizon to increase their coverage and address signal capacity issues in this area of the County. He noted that this tower is proposed to provide voice and data service for this under-served area.

Mr. Alvis then referred to an aerial photograph which had been previously displayed by Mr. Volosin which shows the proposed tower's location as well as other cell towers in a five mile radius. He noted that the blue circle indicates a 1 mile radius for the best location of a new cell tower to fill Verizon's coverage gap, the yellow circle is a 3 mile radius which shows no towers within that area, and the red circle indicates a 5 mile radius from the proposed tower location. Mr. Alvis stated that the nearest tower is more than 5 miles away.

Mr. Alvis stated that wireless communication has become an essential utility and is necessary for schoolwork and working from home during the pandemic. He noted that studies have shown that data usage has increased significantly in the past 10 years and, with the COVID-19 pandemic, there has been a lot of reliance on wireless service.

After discussion, Mr. Alvis stated that the proposed tower will be located along the tree line toward the rear of the Surprenant property and a 20' access road/utility easement will be constructed to the site from Little Timber Ridge. He noted that the tower would be over 1,200' from Little Timber Ridge and contained within a 50' X 50' fenced equipment compound. He stated that a total of 5 antenna arrays are proposed to be placed at various elevations on the tower which will be 195' tall with a 4' lightning rod.

Mr. Alvis stated that a balloon test was conducted in June at a height of 200'. He then reviewed various photo simulations of the tower's visibility from several area locations.

Dr. Scothorn stated that, regarding the visibility issue, there are electrical transmission lines through this area so he does not think that visibility should be a problem.

Dr. Scothorn then stated that the County has an antenna contract on a proposed cell tower at I-81 Exit 162 which will include 4 RADs (center of radiation of cell signal) and questioned what is the capacity of this proposed cell tower.

Mr. Alvis stated that 4G telecommunications service (voice and data) is proposed for this tower which will "plug the service gap" in this area.

Dr. Scothorn stated that the Board of Supervisors is trying to promote broadband service for the County's citizens with at least 25 megabits per second (Mbps) download and 3 Mbps upload speed. He noted that the Exit 162 tower, located approximately 3 miles from this proposed site, will be constructed by Blue Ridge Tower (BRT).

Mr. Alvis stated that he was unaware of the proposed Blue Ridge Tower location until he arrived at this meeting.

After questioning by Dr. Scothorn as to whether he could publicly discuss the County's proposed agreement with BRT, Mr. Mike Lockaby, County Attorney, suggested that Dr. Scothorn express his concern that Verizon had an agreement on a tower site close to the site of tonight's public hearing and then Verizon also filed a separate SEP application for a cell tower on the Surprenant site. Dr. Scothorn agreed with this interpretation of his statement.

Mr. Alvis stated that he does not have any knowledge about a Verizon service agreement involving the proposed Exit 162 cell tower.

After questioning by Mr. Sloan, Mr. Alvis stated that he does not know how much the cell coverage for this area will increase with the proposed Surprenant tower location.

Dr. Scothorn stated that the County is trying to increase broadband service to its citizens including telehealth services for homes, for educational purposes, and businesses and this gives us an opportunity to do so. Dr. Scothorn stated that he would also like to look into further development of the County's Fire/EMS radio communications services.

Mr. Alvis stated that Verizon is hoping to have County Fire/Rescue communications equipment located on this tower.

Mr. Sloan then questioned how many approved cellular communication sites are located in the County that have not yet been built.

Mr. Euan Fuller, with Bamman Consulting and the project manager for this site, stated that the proposed BRT site is approximately 3 miles from the proposed Surprenant tower. He noted that Verizon is very heavily investing in the provision of cell and data services in rural areas and having multiple sites in a location "is a good thing."

After questioning by Mr. Sloan, Mr. Fuller stated that bandwidth will increase with the construction of this proposed tower. Mr. Fuller noted that their proposed Lithia site, approved by the Board in May 2018, has not yet been built.

After further questioning by Mr. Sloan, Mr. Fuller stated that the yellow circle on the aerial map indicates a 3 mile radius and the red circle is a 5 mile radius from the Surprenant site.

After questioning by Dr. Scothorn, Mr. Fuller stated that the service areas of the other towers shown on this map overlap except for the proposed Surprenant tower. After further questioning by Dr. Scothorn, Mr. Fuller stated that this tower will be constructed in 1 – 2 years. He noted that the pandemic has shut down many projects over the past 6+ months which has pushed back their construction schedule on new towers.

After questioning by Dr. Bailey, Mr. Fuller stated that fiber optic cable will be extended to the tower site or a microwave antenna installed if the distance is too far or the terrain is too difficult to install fiber.

After discussion by Dr. Bailey, Dr. Scothorn stated that Mr. Alvis and Mr. Fuller are unaware of the proposed Exit 162 cell tower agreement between the County and BRT.

Mr. Gary Larrowe, County Administrator, stated that this is an important sector of the community and this proposed tower will increase cell service along Springwood Road. He noted that it would be a great help if this tower can accommodate a RAD site for use by the County's Fire/EMS services.

Mr. Fuller stated that Verizon will give an equal playing field to accommodate all co-locators on this antenna.

After questioning by Mr. Larrowe, Mr. Fuller stated that there are three major cellphone carriers in the country which leaves one location on this tower available for other uses. Mr.

Fuller stated that he is willing to facilitate a conversation on the placement of County Fire/EMS communications services on this tower.

Dr. Scothorn thanked Mr. Fuller for his willingness to help with this Fire/EMS communications issue.

After questioning by Mr. Martin, it was noted that there was no one else present or on the telephone who wished to speak regarding this matter. The public hearing was then closed.

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 John M. & Stephanie J. Surprenant (Cellco Partnership, d/b/a Verizon Wireless, lessees) for a Commission Permit in accordance with §15.2-2232 of the Code of Virginia as submitted, in addition to a Special Exception Permit in the Agricultural (A-1) Use District in accordance with Section 25-441. Telecommunications facilities of the Botetourt County Code, to construct and maintain a non-illuminated 199-foot telecommunications facility within a 10,000 square foot ground lease area. The tower site is proposed to be accessed from Little Timber Ridge over and across the subject property by a 20-foot access and utility easement. The 25.3-acre parcel is located adjacent to 1481 Little Timber Ridge (Route 636), approximately 0.2 miles southeast of its intersection with Black Magic Farm Road (Route 636), identified on the Real Property Identification Maps of Botetourt County as Section 63, Parcel 9, with the following conditions: (Resolution Number 20-10-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. The proposed project must be constructed in substantial conformance to the concept plan titled "Spreading Spring Verizon Rawland" prepared by NB+C Engineering Services, sealed by John A. Daughtrey, III, Professional Engineer, on April 17, 2020, identified by site address "1481 Little Timber Ridge, Buchanan, VA 24066".
2. Prior to the issuance of a building permit, the applicant shall provide a structural analysis, sealed by a Virginia structural engineer that the proposed tower can support the applicant's equipment as well as four (4) additional future providers of similar equipment.
3. All feed lines shall be installed inside the monopole and all access ports shall be sealed to prevent wildlife intrusion.
4. No advertising shall be installed on the fencing near the ground compound.
5. Should the antenna arrays be lowered in the future to a height that is below a removable section of the monopole, the tower owner shall then remove this upper section that is no longer in use. Regardless of the length of time any section of the monopole is removed pursuant to this condition, the tower owner may restore such sections of the monopole if needed to raise the antenna arrays to a height permitted by this special exception permit.
6. Noise generated by the development shall not violate provisions of the Botetourt County Noise Ordinance. All other specifications and general provisions shall be met as required by the Botetourt County Zoning Ordinance and in no instance shall the zoning conditions exempt a project from any local, state or federal development requirements, except where allowed by the Zoning Ordinance.

Mr. Martin then noted that the request in the Amsterdam Magisterial District from Virginia Baptist Homes, Inc., and The Glebe, Inc., to rezone, with possible proffered conditions, a total of 71.28 acres to the Residential (R-2) Use District for expanded living space for various treatment and care levels in accordance with Section 25-581. Zoning map amendment—owner initiated of

the Botetourt County Code with a Special Exception Permit for a nursing home/life care facility, with possible conditions, in accordance with Section 25-583. Special exceptions of the Botetourt County Code. The request involves the following properties: Parcel 88-25A, a 64.672-acre parcel owned by Virginia Baptist Homes, Inc., located in the Agricultural (A-1) Use District, at 200 The Glebe Blvd, in Daleville; Parcel 88-32, a 1.49-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential (R-1) Use District, located at 250 Glebe Road (Route 675) in Daleville; Parcel 88-32A, a parcel owned by Virginia Baptist Homes, Inc., in the Residential (R-1) Use District, located at 40 and 50 Draper Place in Daleville; Parcel 88-31, a 2.1-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential (R-1) Use District located at 200 Glebe Road, Daleville; Parcel 88-30, a 1.305-acre parcel owned by Virginia Baptist Homes, Inc., in the Residential (R-1) Use District in Daleville, located 0.1 miles southeast of intersection of Glebe Road and Roanoke Road (U. S. Route 220); Parcel 88-29, a 1-acre parcel owned by The Glebe, Inc., in the Residential (R-1) Use District located at 122 Glebe Road, Daleville; identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcels 25A, 32, 32A, 31, 30, and 29, had been tabled by the Planning Commission for up to 90 days to allow additional information to be submitted.

There being no further discussion, the meeting was adjourned at 7:28 P. M.