

The regular meeting of the Botetourt County Board of Supervisors was held on Thursday, December 19, 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 Dr. Scothorn, seconded by Mr. Martin, 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 and public safety 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 concerning the Amsterdam (Greenfield) District; and Section 2.2-3711.A. 29, discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body regarding Apex Clean Energy. (Resolution Number 19-12-01)

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 2:00 P. M.

On motion by Dr. Scothorn, seconded by Dr. Bailey, 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 19-12-02)

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

NAYS: None

ABSENT: None

ABSTAINING: None

**BE IT RESOLVED**, that to the best of the Board members' knowledge only public business matters lawfully exempt from open meeting requirements and only such matters as were identified in the motion to go into Closed Session were heard, discussed or considered during the Closed Session.

Mr. Martin then welcomed everyone to the meeting and wished them a merry Christmas.

Mr. Martin then led the group in reciting the pledge of allegiance and then asked for a moment of silence.

Mr. Martin then asked that the members of the Lord Botetourt High School girls volleyball team come forward. He noted that the team recently won its third Class 3 State championship.

He then read the following proclamation which had been framed for presentation:

**WHEREAS**, the Lord Botetourt High School Girls Varsity Volleyball Team for 2019-2020 consists of Maegan Barnes, Leah Carlton, Ryanna Clark, Anna Dewease, Kenleigh Gunter, Parker Hudson, Jordyn Kepler, Taylor Robertson, Miette Veldman, Sydney Whorley, and Annelise Wolfe; Assistant Coaches Michelle Bower and Samantha Wilkins; and Head Coach Julie Conner; and,

**WHEREAS**, the Team's season record consisted of 31 wins and no losses including the State Class 3 Championship win over Tabb High School; and,

**WHEREAS**, over three State championship seasons, the Team accumulated a record of 94 wins and one loss which included a 56 match winning streak; and,

**WHEREAS**, their talent and dedication to the game and their teammates are to be commended; and,

**WHEREAS**, they have a proven record of excellence, which serves as a model for their peers and the community and is worthy of recognition;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Botetourt County, on its own behalf and on behalf of the citizens of Botetourt County, extends its congratulations and appreciation to the members of the 2019-2020 Lord Botetourt High School Girls Varsity Volleyball Team; Assistant Coaches Michelle Bower and Samantha Wilkins; and Head Coach Julie Conner, for winning the Class 3 Girls State Championship in November 2019.

Mr. Martin congratulated the team for this achievement.

Mr. Martin then asked Mr. Rodney Spickard to come forward. He noted that Mr. Spickard is retiring as Commissioner of the Revenue after 8 years of service to the County.

He then read the following proclamation which had been framed for presentation:

**WHEREAS**, Rodney D. Spickard has served as the Botetourt County Commissioner of the Revenue from January 2011 through December 2019; and,

**WHEREAS**, during his tenure, Commissioner Spickard has provided fair and unwavering service to the citizens and businesses of Botetourt County for real estate and personal property assessments, tax return preparation, business licenses, community education, and myriad other requests; and,

**WHEREAS**, Commissioner Spickard also helped to oversee the County's 2016 and 2020 general property reassessments; and,

**WHEREAS**, Commissioner Spickard is respected by his colleagues for his leadership, passion, and vision to provide the highest level of service to the County and his staff; and,

**WHEREAS**, the County, its citizens, and the Commissioner of the Revenue's staff gratefully acknowledge the dedication and experience of Commissioner Spickard; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors hereby expresses its sincere appreciation for the eight years of service given by Commissioner of the Revenue Rodney D. Spickard to the citizens, businesses, and visitors of Botetourt County.

**FURTHER**, the Board wishes Commissioner Spickard all the best in his future endeavors.

Mr. Martin then presented Mr. Spickard with a watch containing the County seal on its dial.

Mr. Martin then asked that Sheriff Ronnie Sprinkle come forward. He noted that Sheriff Sprinkle is retiring after 20 years of service as Sheriff.

He then read the following proclamation which had been framed for presentation:

**WHEREAS**, Ronald N. Sprinkle will retire on December 31, 2019, after 20 years of service as Sheriff of Botetourt County, plus 11 years of previous service as a County deputy; and,

**WHEREAS**, during his tenure, Sheriff Sprinkle helped to grow the Botetourt County Sheriff's Office into a superior, full-service law enforcement agency, expanding services, increasing deputy salaries, and ensuring the public's safety throughout the County; and,

**WHEREAS**, Sheriff Sprinkle helped to oversee the partnership with Craig County to build and operate the Botetourt/Craig Counties Public Safety Building; and,

**WHEREAS**, under Sheriff Sprinkle's guidance, the Botetourt County Sheriff's Office has achieved accreditation from the Virginia Law Enforcement Professional Standards Commission; and,

**WHEREAS**, Sheriff Sprinkle is respected by his colleagues for his leadership, passion, and vision to provide the highest level of law enforcement and public safety service to the County; and,

**WHEREAS**, the County's and Sheriff's Office staff and the County's citizens gratefully acknowledge his experience, knowledge, and dedication to the Botetourt County Sheriff's Office; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors hereby expresses its sincere appreciation for the more than 30 years of service given by Sheriff Ronald N. Sprinkle to citizens, businesses, and visitors of Botetourt County.

**FURTHER**, the Board wishes Sheriff Sprinkle all the best in his retirement.

Mr. Martin then presented Sheriff Sprinkle with a watch containing the County seal on its dial. He noted that this is a remembrance for the Sheriff's lengthy service to the County. He noted that the name "Sprinkle" is synonymous with Botetourt County and the Board will miss the Sheriff and all of his service to the County.

Mr. Jerry Burgess, former County Administrator, stated that he worked with Sheriff Sprinkle for 13 years and it was an incredible partnership. He stated that Sheriff Sprinkle transformed the Sheriff's Department. Mr. Burgess stated that the Department had inadequate facilities and the new regional jail would not have been possible without the Sheriff working with the Craig County Sheriff and the State of Virginia to obtain construction funding. Mr. Burgess stated that he appreciated all of the Sheriff's hard work and cooperation during this project. Mr. Burgess noted that he has previously said that the County has the finest law enforcement department in the State.

Mr. Martin then noted that Judge Paul Tucker was present at the meeting and asked if he had any comments.

Judge Tucker thanked the Sheriff for his service.

Sheriff Sprinkle stated that he tried to do his best in serving the County's citizens; however, he received assistance from many others during his tenure including Mr. Burgess, County staff, previous and current County Administrators, and many members of the Board of Supervisors. He noted that their assistance was greatly appreciated.

Sheriff Sprinkle also noted that then-State Senator Bo Trumbo helped his department a great deal during his tenure in the Virginia General Assembly and thanked him for his assistance over the years. Sheriff Sprinkle wished the best for the County in the future.

Mr. Martin wished Mr. Spickard and Sheriff Sprinkle well in their future endeavors.

Mr. Martin then thanked the large crowd for their attendance at the meeting.

He noted that during the public comment period citizens may speak for 3 minutes about any topic of concern. He noted that some individuals may have come to speak for or against agenda items to be considered by the Board later today. Mr. Martin reminded those present that the Board will hold a civil meeting. He stated that the room is at capacity and requested that citizens not stand on the steps or block the entrances. He noted that an overflow room is available down the hall with audio/video of this session.

Mr. Martin stated that today's agenda items are only the beginning of the process in regard to the Apex Clean Energy project and there will be multiple opportunities for public comment in the future if any decision is made by the Board to do so. Mr. Martin noted that the Board's actions are based on a legal and proper process. He noted that the Board believes in the first amendment of the Constitution and asked that the audience be respectful of all speakers.

Mr. Martin then noted that he will also allow public comments under the 4PM update presentation on Apex's project under these same terms/conditions; however, speakers will not be allowed to make comments during both the public comment session and the 4PM Apex presentation.

After discussion by Mr. Martin, Mr. Michael Lockaby, County Attorney, noted that agenda items 12 – 14 pertain to the Apex wind energy project--Apex will give an update on the wind turbine project's progress to date; County staff will ask the Board to consider Zoning Ordinance amendments regarding the Apex project; and that the Board consider acquiring consultant engineering services for review of Apex's proposed revisions to their Special Exceptions Permit (SEP).

Mr. Lockaby stated that the first step in amending the Zoning Ordinance is receipt of a request to do so by the Planning/Zoning Office. He noted that staff reviews the submitted request and then presents it to the Supervisors for their consideration of authorizing staff to proceed with further review and drafting of associated amendments. Mr. Lockaby stated that, if the Board refers the matter to staff, they research and drafting of the amendments which are then presented to the Planning Commission for consideration at a public hearing.

He noted that that Commission may make changes to the proposed amendments but they are eventually submitted to the Supervisors for a public hearing as is or with revisions. Mr. Lockaby stated that any proposed text amendments are required to have two public hearings—one each before the Planning Commission and Board of Supervisors. He further stated that text amendments do not allow any project to occur—they open the path for consideration of a project to occur.

Mr. Lockaby stated that any revised SEP application for the Apex project is not yet complete and the application will depend on the text amendments drafted, considered, and possibly approved by the Commission and Board. He noted that, after the text amendment process is completed, it is possible that the revised SEP may not be brought up for consideration.

After discussion, Mr. Lockaby stated that the request for acquisition of consultant engineering services is to review/evaluate any SEP application for the Apex wind energy project. He noted that hiring of a consultant for this purpose is dependent on whether the Board decides to consider the text amendments.

Mr. Martin then recognized House of Delegates member Terry Austin as being present at the meeting.

Delegate Austin then commended the Lord Botetourt High School volleyball team for their third straight State championship and noted that he will submit a commendation before the January General Assembly session to recognize their achievement.

Mr. Martin then opened the public comment session.

Mr. Stevie Lovell of Read Mountain Road stated that he is in support of any new technology such as the wind farm.

Mr. Lovell then asked the Board to acknowledge pre-existing and non-conforming grandfathered businesses in the County such as those operated by himself, Mr. Howard Pullen, and Mr. Clayton Gibson. Mr. Lovell stated that towing and storage of wrecked vehicles is a tough business. He noted that they want to make their facilities as attractive as possible.

Mr. Lovell noted that a recent letter stated that the zoning for his business is not in compliance with the County Code; however, he disagrees and wants a discussion process to be held between the County staff, Board members, and impacted businesses. He quoted that “zoning shall be compatible but not burdensome” and asked that the Board give consideration to pre-existing and non-conforming businesses.

Mr. Lovell stated that he is in favor of the wind farm proposal. He noted that “we are not a rural county anymore.”

Ms. Wendy St. Clair of Botetourt Road stated that she owns property across Route 220 from the turbine site and is concerned how the facility will impact her property values. She stated that there is not enough evidence to support that there is adequate winds to make the facility viable. She stated that there is a need to obtain additional information on this project.

Mr. Parke Slater of Poor Farm Road stated that he opposes this wind farm request. He then presented the Board members with a photograph of North Mountain taken from Central Academy Middle School with renderings of the proposed higher turbines. He noted that this photograph shows the view that he will have from his property.

Mr. Slater stated that he respects the landowner’s right to do what he wishes with his property but quoted a Luke Bryan song “red dirt rich” which references the northern portion of Botetourt County. Mr. Slater stated that he does not envy the Board. He noted that the Board found a new stream of revenue from this wind farm project but they can also have an insatiable drive for revenue, too.

Mr. Slater stated that Apex has said that this project will generate 250 temporary construction jobs and only 7 permanent jobs. He noted that, once the project goes forward, there is no going back. He noted that bats, eagles, and other wildlife will be impacted by these turbines. Mr. Slater stated that the now-proposed 22 turbines will have a total of 66 blades turning between 120 – 160 mph. He noted that one-half million birds are killed each year from these types of wind towers. He then questioned what if this project was proposed for McAfee Knob in Roanoke County. Mr. Slater stated that the new proposed tower height is 6 – 7 times the height of the Mill Mountain Star. He asked that the Board “keep Botetourt County as it is.”

Mrs. Darlene Scarborough of Locust Bottom Road in Eagle Rock stated that she and her family purchased their property in 2017 but were unaware that the Rocky Forge wind farm would be constructed in their area. She stated that, if they had known, they would not have purchased the property. Mrs. Scarborough stated that they have a view of North Mountain from their property and are opposed to building the wind farm, especially the current request to increase the towers’ height.

She stated that people live in the northern County area because of its beauty and to put these towers there would be a travesty. She also stated that this project would cause problems with the James River's recreational opportunities. Mrs. Scarborough stated that there is no proof that the wind speed would be sustainable to operate these turbines economically. She further stated that citizens have not been informed about the impacts to their health, wildlife, etc., from this project.

Mrs. Scarborough stated that there has been devastation at other Apex facilities across the country. She noted that the Comprehensive Plan says that the County will "preserve scenic views" and these views are critical to the County's rural character. She further stated that the local beauty of the area has an economic impact and these turbines even will be visible from the Blue Ridge Parkway.

Mr. Jon Scarborough of Locust Bottom Road stated that Botetourt is still a rural county. He noted that his family bought a large property in the northern part of the County and these turbines will reduce the value and equity of that property. Mr. Scarborough stated that, if he has to leave, he will not be able to sell his home. He said that this issue is "critical" to his family.

Mr. Scarborough then questioned if the properties of those who are in favor of the wind farm have views of the proposed tower location.

After discussion, Mr. Scarborough stated that he sent the Board members an e-mail with his concerns/objections of this project.

Mr. Scarborough stated that the Governor wants to raise \$2.5 billion over 10 years through increases in electric taxes. He questioned if the wind companies will dispute their tax bills to try to have them reduced. Mr. Scarborough stated that his home/property means everything to him and his family and the potential is that he and his family will be destroyed if this revised project proceeds.

Mr. Scarborough stated that he thinks that the Board has made up their minds to send this text amendment request to the Planning Commission. He noted that the County Administrator and at least two Board members have met with Apex since this past summer and questioned where is the due process in this situation.

Mr. Eric Scarborough of Locust Bottom Road stated that he opposes this wind farm as it will destroy their property values and his future inheritance. He noted that this "makes him want to leave Botetourt County," it will push people away, and destroy the environment. He said that this project "is not what it is cracked up to be."

Delegate Terry Austin of Lee Highway, Buchanan stated that he was a member of the Board of Supervisors when this proposal was first brought to the County in 2015. He noted that this project was considered by staff and consultants for quite some time before the Supervisors voted to approve it in 2016. He said that studies show that the wind speed to power the turbines is available and a power purchase agreement with the State of Virginia has been approved.

Delegate Austin stated that the State recruited Amazon to locate in northern Virginia and part of that agreement was that the State have renewable energy options. Delegate Austin stated that the Rocky Forge project will "put Botetourt on the map." He noted that it has very little impact on the area's infrastructure, schools, roads, and emergency services and will create a few new jobs.

He noted that Dabney S. Lancaster Community College has a wind turbine curriculum that supports this infrastructure. He further stated that we have to be forward-thinking and progressive as a County and this is an opportunity for the County to lead the way. Delegate Austin

stated that on his trips to the western United States he has seen multiple wind projects. He noted that the Rocky Forge project is to be located on approximately 10,000 acres of land on top of a mountain with the nearest neighbor approximately one mile away. He then thanked the Board for their time in allowing him to speak.

Mr. Dave Condon of McKinney Hollow Road in Eagle Rock stated that he has almost a 365° view of North Mountain from his property. Mr. Condon noted that he frequently sees military aircraft flying through this area at approximately 450' above Route 220. He stated that many of these flights come down North Mountain and head south toward Covington/West Virginia. Mr. Condon stated that flight paths can change.

Mr. Condon stated that he has issues with the proposal to add 133' to the height of these wind turbines. He noted that low-level flying is a concern especially at night and the terrain of this mountain is the same as in Tennessee. Mr. Condon further noted that, if there is an extreme fire on the mountain, it could destabilize the soils and impact the environment.

Mr. Ed VanNess of Windmill Lane in Eagle Rock stated that some time ago, he had the opportunity to choose his street name and chose Windmill Lane. Mr. VanNess stated that the turbines are proposed to be taller but there will be fewer of them constructed. He stated that there will be the same amount of electricity generated with less turbines which will allow more of the mountain to remain wild and undeveloped.

Mr. VanNess stated that he received a mailer from the other side last week opposing this project but there was no argument about the revenues that this project would generate. He noted that the economic impact would be in the millions of dollars for the County. Mr. VanNess stated that he supports local companies, contractors, and supplies and asked that the Board support this project and make it a "win-win for everyone."

Mr. Bob Hundley of Buhrman Road in Eagle Rock stated that the Rocky Forge project would be a danger to the three-county area because of forest fires that burn at amazing speeds. He noted that the conditions could also result in a "crown fire" occurring from an explosion of heat and flames. Mr. Hundley stated that embers would drop into mountain watersheds. He also stated that numerous ash trees have been killed by the emerald ash borer and these dead trees are a fire hazard as they burn hot and only leave ash.

Mr. Hundley noted that the Sheets Mountain fire occurred in 1970 which resulted in the death of one person. He noted that California has had wind turbines for many years and Paradise, California, was destroyed by fire in 2018. Mr. Hundley stated that fire has been used as a social planning tool for a long time.

Mr. R. D. Blanton of Shavers Farm Road in Fincastle stated that he thinks having wind towers is dangerous as they could start a fire. Mr. Blanton stated that he feels sorry for the people who have land near the proposed wind farm—it will ruin their property value.

Mr. Bill Van Velzer of Cox Road in Troutville then stated, "Here we go again, but this time it is worse." He questioned what is the lesser of two evils—25 550' turbines or 22 680' turbines. Mr. Van Velzer stated that the original height of these wind turbines was 500' and it would seem that we should give Apex all they ask for now before they lobby for 700' towers.

Mr. Van Velzer stated that he has seen all of this in California—it is a common tactic used in the wind energy industry. He noted that there is a long list of issues—reputable studies that review the declining real estate values in areas around the wind farms, evidence of infrasound which is recognized by the World Health Organization as having an impact on health, avian and bat mortalities, etc. He noted that the project's setback limits should be reworked due to the infrasound impacts.

Mr. Van Velzer stated that these issues and others are justified at turbine heights of 550'; however, at 680' it constitutes a different situation with a different response. Mr. Van Velzer stated that this project's approval process should begin anew.

He stated that the citizens elected the Supervisors to represent the County's citizens, protect our constitutional rights, and our homes.

Ms. Melissa Hundley of Clifton Forge stated that her family farm is located north of this project and her family's home is the closest to the wind farm. She noted that their property has been in a land/water conservation district for many years. Ms. Hundley stated that the wind farm project will impact the animals and creeks in this area and run-off from the project will destroy the mountain ecology.

She noted that 100 acres on the mountain will need to be cleared, blasting will occur for the construction of these towers, and there will be unpaved roads which will cause runoff issues. Ms. Hundley stated that the turbines will cause bird and bat deaths and the County should require Apex to pay a \$10,000 fine to compensate for the loss of eagles and bats harmed by this project.

Ms. Hundley asked that the Board not allow the height of these towers to be increased to 680'. She noted that Apex's previous sound and shadow flicker evaluations used two different turbine models and but Apex has said that they have not yet committed to a specific type of tower which makes these evaluations/studies meaningless.

Mr. Jon Cooper of Hollymeade Lane in Daleville stated that he is a member of the Fraley family, who own the property on which the proposed wind farm will be located. He stated that the County has a tremendous resource at its disposal with this proposed project. Mr. Cooper noted that new revenue streams have to be found in his personal business and the Board has to do this as well for the County.

Mr. Cooper stated that the Supervisors members have visited the Fraley site which consists of approximately 10,000 acres. He noted that the closest landowner (Mr. Gunn) is 1.3 miles away from this property. He further noted that those in favor of this project outnumber those opposed to it by 10 to 1.

Mr. Cooper stated that it is estimated that this project will generate \$16 million in revenue with no up-front capital investment by the County. He noted that comments that the project will impact wildlife and cause erosion for miles around is propaganda. Mr. Cooper stated that his family is committed to conservation and believe that the area's wildlife will thrive even with the construction activities. He asked that the Board make the best decision for Botetourt County in this regard.

Mr. Matt Cooper of Timber Ridge requested that the Board consider the Apex requests to increase the height of the turbines. He stated that the previous Board of Supervisors saw the benefits of this project. Mr. Cooper stated that his family (Fraleys) are hardworking individuals who have invested in this County.

Mr. Cooper noted that he is working on the new Colonial Elementary School project and his company takes pride in its work. He stated that his family has been involved in conservation since the 1970s and asked that the Board consider the proposed text amendments for this project.

Mr. Buddy McGlothlin of Roanoke stated that he has reviewed both sides of this project. Mr. McGlothlin noted that he has known the Fraleys and Coopers for over 30 years. He stated that conservation is important to them as they are involved in environmentally safe and sound practices and are advocates for wildlife conservation.

He asked that the Board continue the process to allow this project to occur. He noted that change is inevitable but not pleasant at times. Mr. McGlothlin stated that the County is leading this area in clean energy production instead of following others and “hats off” to the Board for embracing this project. Mr. McGlothlin stated that outdated beliefs are being shut down every day. He noted that this project is estimated to provide electricity to 20,000 homes.

Mr. Larry Dew of Lick Run Road in Eagle Rock stated that it disturbs him to have a different opinion than his neighbors but he would like this wind farm project to be completed. Mr. Dew stated that he thought that this project was done two years ago when the Supervisors approved the SEP.

Mr. Dew stated that finances and landowner rights should be considered in this situation. He noted that the northern part of the County is a flyover for military aircraft and all that is seen out of their windows is trees. Mr. Dew stated that “we are a poor tribe trying to stand on their merits.” Mr. Dew further stated that his taxes are supporting the rest of the County and, with the wind energy revenues, this area will be a contributor to the entire County. He noted that the project is estimated to provide \$1 million in revenues to the County during its first year of operation.

Mr. Dew stated that he has known Mr. Fraley for many years. Mr. Dew noted that he is retired from the United States Forest Service and can see the project’s site from his home. Mr. Dew stated that the project will not enhance his view but will contribute to the County’s economy.

After discussion, Mr. Dew stated that previously the Fraley property was owned by a mining company and Westvaco. He noted that those companies abused the property through mining and logging activities. Mr. Dew stated that Mr. Fraley has spent money to bring the property back to a more healthy condition.

Ms. Jessie Dudley of Springwood Road then stated that the lifespan of the turbines is not long and questioned if there are funds set aside, adjusted for inflation, that are to be used to deconstruct these towers. She noted that these towers/turbines are not permanent structures and the County should not be responsible for the expensive deconstruction costs.

She asked that the Board consider the cost in 20 years or less to remove these towers. Ms. Dudley stated that the citizens should know how this process will be handled/funded.

After questioning by Mr. Martin, Mr. Larowe stated that there are provisions in the contract for the company to pay to have these towers removed.

Ms. Dudley stated that, if the company is still a viable business, this would be a good idea; however, companies have gone bankrupt and there are no funds available to pay outstanding debts or responsibilities.

Mr. Hugh Wellons of Roanoke, representing Sugarloaf Mountain, LLC, stated that he represents the company which owns the land that the turbine equipment would have to come through to access the Fraley property. Mr. Wellons stated that he has concerns about the process and how the equipment/turbines will be driven through this property. He noted that this would have a significant impact on his client’s land and little to no conversation by Apex has been held with his client regarding access through his property.

There being no further discussion, Mr. Martin then thanked everyone for their comments.

After discussion, on motion by Dr. Scothorn, seconded by Dr. Bailey, and carried by the following recorded vote, the Board approved the minutes of the regular meeting held on November 26, 2019, as submitted. (Resolution Number 19-12-03)

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 two transfers, six pass-through appropriations, and two regular appropriations for the Board's consideration this month. He noted that these items were for reimbursements, miscellaneous receipts, funding for the Gala Boat Ramp project, and unemployment claims paid to date.

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 19-12-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$509.60 to Central Purchasing – Store Supplies, 100-4012530-12530-6021-000, from various departments as follows for store supplies usage:

- \$200.00 Comm. of Rev. - Office Suppl., 100-4012310-12310-6001-000
- \$ 12.00 Purchasing - Office Supplies, 100-4012530-12530-6001-000
- \$ 15.60 Econ. Devel. – Office Suppl., 100-4081500-81500-6001-000
- \$200.00 Sheriff's Dept. - Other Oper. Suppl., 100-4031200-31200-6014-000
- \$ 70.00 Jail – Other Oper. Suppl., 100-4033100-33100-6014-000
- \$ 12.00 CSA – Office Supplies – 100-4053500-53500-6001-000

Transfer \$429.24 to Central Purchasing – Pool Car Transfers, 100-4012530-12530-6020-000, from various departments as follows for fuel usage:

- \$ 2.95 Finance – Fuel, 100-4012430-12430-6008-000
- \$ 18.19 Purchasing – Veh. Repairs, 100-4012530-12530-3312-000
- \$ 25.14 Technology Svces. – Fuel, 100-4012510-12510-6008-000
- \$134.10 Comm. Devel. – Fuel, 100-4081200-81200-6008-000
- \$192.67 Economic Devel. – Fuel, 100-4081500-81500-6008-000
- \$ 56.19 Van Program – Fuel, 100-4071500-71500- 6008-000

Additional appropriation in the amount of \$3,692.55 to Waste Management – Salaries and Wages - Regular, 100-4042400-42400-1100. This is a reimbursement received from County Waste for Botetourt County employees' overtime costs in supporting County Waste operations at the landfill, per agreement.

Additional appropriation in the amount of \$7,573.76 to the following Sheriff's Department accounts: \$93.00 to Uniforms, 100-4031200-31200-6011; \$6,050.17 to Subsistence & Lodging, 100-4031200-31200-5530; and \$1,430.59 to Vehicle Supplies, 100-4031200-31200-6009. These are reimbursed funds received for extradition and uniform contract expenses.

Additional appropriation in the amount of \$1,130.37 to the following Sheriff's Department accounts: \$1,050.00 to Overtime, 100-4031200-31200-1200; and \$80.37 to FICA, 100-4031200-31200-2100. These are reimbursement funds for providing security at high school football and volleyball playoff games.

Additional appropriation in the amount of \$62.50 to Dispatch – Uniforms, 100-4031400-31400-6011. These are funds received for contract payments.

Additional appropriation in the amount of \$3,440.60 to the following Correction & Detention accounts: \$3,080.60 to Medical & Lab Supplies, 100-4033100-33100-6004; \$160.00 to Uniforms, 100-4033100-33100-6011; and \$200.00 to Food Supplies and Service, 100-4033100-33100-6002. These funds are for medical co-pays and Craig County reimbursements regarding medical care for inmates, contract payments, and Social Security incentive payments.

Additional appropriation in the amount of \$35.00 to Library – Books & Subscriptions, 100-4073100-73100-6012. These are prize money funds received from the December 7th Fincastle parade.

Additional appropriation in the amount of \$17,860.00 to CIP - Greenway Project, 100-4094000-71000-8012-720. This appropriation, supported by FY19 budget savings, will be used to cover costs incurred for the Gala Boat Ramp project.

Additional appropriation in the amount of \$1,038.65 to Unemployment Claims, 100-4091000-91000-2600. This appropriation will cover the cost of claims incurred to date for FY20.

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 \$767,827.03. He noted that this month's large expenditures included \$36,200 to Wampler-Eanes Appraisal Group for work on the reassessment; \$49,959 to Carter Machinery Company to replace the generator at the General District Courthouse; \$34,517 to the Roanoke Regional Partnership for their second FY 20 budget allocation; \$37,549 to Visit Virginia's Blue Ridge for their third of four FY 20 budget allocations.

After questioning by Dr. Bailey, Mr. Zerrilla stated that he will forward additional information to Dr. Bailey regarding process of the County's real estate reassessment.

There being no further discussion, on motion by Dr. Bailey, seconded by Mr. Sloan, and carried by the following recorded vote, the Board approved the Accounts Payable list and ratified the Short Accounts Payable List as submitted. (Resolution Number 19-12-05)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a request for the creation of a Fire and EMS Capital Reserve Fund. Mr. Tony Zerrilla, Director of Finance, stated that, after discussions between the County Administrator and Chief of Fire and EMS Jason Ferguson, the Chief and he began drafting criteria to establish a Fire and Rescue Capital Reserve Fund.

He stated that this fund will be used to purchase apparatus and other capital equipment as deemed necessary/appropriate, or for facilities construction or improvements upon approval of the Board of Supervisors. Mr. Zerrilla stated that surplus revenues from the Cost Recovery Program and residual operational funding to volunteer fire and EMS agencies will be used to create this fund. He further stated that the Cost Recovery Fund brought in \$1.4 million in revenues in FY 19 and a base of \$1.2 million will be used as a measure against actual fiscal year revenues through FY 21. Mr. Zerrilla stated that the Budget Subcommittee would then review the fund to determine if the base amount should be revised.

Mr. Zerrilla stated that the staff is requesting Board approval of a resolution to enact this capital reserve fund and to approve a transfer of \$262,001.41 from the Undesignated Fund Balance to this reserve fund.

Chief Ferguson stated that he has been working with the Fire and EMS Commission for several years to find better ways to fund the Department's large transactions. He noted that this proposed Capital Reserve Fund is one step that they feel will carry them into the future. Chief Ferguson noted that revenues that have already been recovered through the Cost Recovery Program will be used to fund this account.

After questioning by Dr. Bailey on a determination on how these funds will be spent, Chief Ferguson stated that he, in conjunction with the Commission, had reviewed the proposed FY 21 CIP earlier this week and discussed their funding priorities based on needs and recommendations from the career and volunteer leadership.

He noted that these recommendations will then be forwarded to the Commission's Executive Board (County Administrator, Fire/EMS Chief, Supervisors Billy Martin and Ray Sloan, and Zach Beckner with the Troutville Volunteer Fire Department, Darryl Johns with the Eagle Rock Volunteer Fire Department and Rescue Squad). Chief Ferguson stated that the Executive Board discusses the funding requests and makes a determination on what the following fiscal year's funding request will be. He noted that, if there is an unexpected/catastrophic failure of a piece of apparatus or a fire/EMS facility, then the Fire/EMS Board would make a request to the Supervisors for approval of the use of these funds.

Mr. Clinton then questioned how the Fund's base number (\$1.2 million) was determined and why would the check/review of the base amount be conducted only every three years.

Chief Ferguson stated that he and Mr. Zerrilla reviewed the historical basis for the Cost Recovery Program revenues for the past few years and \$1.2 million appears to be a safe/conservative number to begin with.

After discussion, Chief Ferguson stated that in FY 19 the County purchased a new Buchanan squad truck at a cost of \$121,745. He noted that this was done with the Board's authorization, using the previous year's EMS Cost Recovery revenue overage.

Chief Ferguson stated that the Cost Recovery Program has now implemented better billing practices so the revenues generated by the Program are more stable.

Chief Ferguson further stated that the proposal from the Committee was that the Fund's base amount should be reviewed every three years to determine if adjustments were needed; however, this review could be done every year during the County's budget development process. Chief Ferguson stated that, as proposed, \$1.2 million in Cost Recovery Funds will remain in the General Fund revenue stream; however, any monies left over above that amount would be allocated to the Capital Reserve Fund.

Mr. Martin then noted that Chief Ferguson was appointed to his position approximately one year ago and he commended the Chief on his work over the past year.

Mr. Sloan noted that in his years of being involved with fire and EMS it has now come to a point of being workable. Mr. Sloan stated that what Chief Ferguson has done is admirable and he appreciates the work done by all the career and volunteer personnel. Mr. Sloan stated that he hopes to continue this work together in the future to make this a jewel in our region.

There being no further discussion, on motion by Mr. Sloan, seconded by Mr. Martin, and carried by the following recorded vote, the Board adopted the attached Fire and EMS Capital Reserve Fund resolution and approved a transfer of \$262,001.41 from the General Fund-Undesignated Fund Balance to Fire and EMS Capital Reserve Fund-Fund 310. (Resolution Number 19-12-06)

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 the U. S. Route 220 safety improvement project is progressing. He noted that this is a design/build project. He further noted that the Ball Park Road bridge rehabilitation project is proceeding and the contractor will have to close the bridge to through traffic from 8PM to 6AM Sunday through Thursday from early January through mid-March. Mr. Varney stated that VDoT and the County's Fire/EMS Department have coordinated emergency services response during this period which will include radio communications between fire/rescue and the contractor in the event that an emergency call occurs during the nighttime closure hours.

Mr. Varney then reviewed various land development/land use projects. Mr. Varney noted that earlier today he signed documentation regarding the acceptance of three streets in Ashley Plantation, Section 6, into VDoT's secondary system for maintenance. He stated that three streets in the Orchards of Ashley still remain to be brought before the Supervisors for consideration of acceptance. He noted that there has been a delay in receipt of a subordination of rights agreement from American Electric Power to vacate an easement that crosses the road's right-of-way.

After questioning by Mr. Clinton, Mr. Varney stated that VDoT staff is working with County staff to try to obtain the necessary documentation on the vacation of this easement.

Regarding the Fieldstone development across from Ikenberry Orchards, Mr. Varney stated that VDoT has met with County staff on these development, infrastructure, and intersection improvements and forwarded their comments/suggestions to the County. Mr. Varney noted that VDoT has also submitted comments on a proposed water line extension project from the Greenfield water tank to the Hollymeade/Glebe Road area.

He then noted that a couple of issues have come up on the Zimmerman Road project including weather delays, hard rock, and some unforeseen subgrade issues on the road's base. Mr. Varney stated that they hope to have this work completed by the end of December but hard surfacing will not occur until spring 2020. Mr. Varney stated that the White Church Road Rural Rustic Road project is complete except for a few minor items that will be completed in the spring.

Mr. Martin stated that he visited Zimmerman Road yesterday and appreciated VDoT's work to date.

Mr. Varney noted that the needed drainage repair work is beginning at the top of the road due to the heavy weight of the erosion mat.

After discussion, Mr. Varney noted that a double 60" culvert pipe on Archway Road has been replaced and VDoT is working with the impacted property owner to obtain a right-of-entry to complete downstream bank protection work. He further noted that bank stabilization work is also needed on Nace Road which will necessitate lane closures for 2 – 3 days. Mr. Varney stated that this project's start date is uncertain as this work is weather dependent.

Regarding the Murray Drive improvement project to the new Colonial Elementary School, Mr. Varney stated that preliminary plans have been submitted and VDoT hopes to have this work completed next summer. Mr. Varney further stated that the consultant's work on the Route 460 Arterial Preservation Plan is in limbo. He then reviewed various headquarter in-house projects for shoulder work, brush cutting, ditching, and pipe replacements on various County roadways.

After questioning by Mr. Sloan, Mr. Varney stated that it is difficult to develop synergy with the areas railroads; however, VDoT has a department that works with the various railroads on road/easement/maintenance issues.

Mr. Sloan stated that, during last month's shutdown of I-81 due to two large wrecks, tractor trailers and other large vehicles using GPS directions ended up on many narrow roadways in the Buchanan District. He further stated that this resulted in instances where the trucks became stuck on these roads' railroad crossings further adding to the delays and congestion. Mr. Sloan questioned if anything could be done to encourage the railroads to reconstruct these crossings to reduce the elevation/grade for easier access if such a situation occurs again.

Mr. Martin noted that House of Delegates member Terry Austin has also offered to help in this situation.

Mr. Varney stated that he would discuss this matter with their staff who more-directly work with the railroads.

Dr. Bailey stated that he has held discussions with VDoT regarding having the gravel road section of Price's Bluff Road paved. Dr. Bailey further stated that the wrecks on I-81 and the congestion that occurs on Route 11 through Buchanan during these instances is a real problem and this issue needs to be seriously looked at to eliminate these problems.

Mr. Varney stated that VDoT "feels the Board's pain" on this issue. He noted that VDoT is doing everything it can to improve the situation including installing new signs, new friction pavement, and possibly lowering the I-81 speed limit in this area.

Dr. Bailey stated that the County's Fire/EMS units also have problems when accidents occur on I-81 as the resulting congestion on local roads impacts call response during other emergencies.

After questioning by Dr. Scothorn, Delegate Terry Austin stated that VDoT and various other impacted agencies held a post-accident meeting on the November I-81 closure incident. He noted that Buchanan acts as a traffic funnel between Exits 162 and 168 when an accident occurs that backs-up traffic on I-81.

He noted that this is a serious situation and minor improvements to signage/pavement are being considered but "it is not a fix." Delegate Austin stated that a construction project is needed to solve the problems in the Exit 167 – 168 area. Delegate Austin stated that it is estimated to cost \$150 billion to make all of the needed improvements along the 325 miles of I-81 in the State of Virginia and approximately \$120 million would be needed for the realignment project in the Arcadia area. Delegate Austin encouraged the County to apply for SmartScale funds for this project. He noted that it is a transportation-related problem and it needs attention.

Dr. Scothorn then noted that he has received a citizen call that there is a dip in the pavement of Laymantown Road. Mr. Varney asked that the citizen's name/contact information be forwarded to him to ascertain the exact location of this problem.

Mr. Clinton then noted that there is upcoming culvert work on Azalea Road in Daleville which will act as a means of traffic calming through this residential neighborhood.

Mr. Varney stated that this culvert project could include placing a liner inside the culvert so VDoT would not have to dig up the roadway to remove/replace the pipes.

After questioning by Mr. Clinton, Mr. Varney stated that this culvert project was not included in his monthly report as this work has not yet been scheduled.

Consideration was then held on a request for a no through-truck restriction on Azalea Road (State Route 1021). Mr. Cody Sexton, Assistant to the County Administrator, stated that as a result of consultation between Supervisors members, County Administration, VDoT, and citizens of Azalea Road, the County would like to request that VDoT begin work to implement a study of a possible "no through-truck" restriction for this road. He noted that this would be the

first step in this review process which would eventually include traffic studies and analyses by VDoT and, if the data shows that the road qualifies for such a restriction, a public hearing would be scheduled before the Supervisors.

Mr. Clinton stated that instances of large trucks using this residential street have been reported for approximately 15 years and VDoT is amenable to this proposal.

There being no further discussion, on motion by Mr. Clinton, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board requested that VDoT begin work to implement a study on a potential "no through-truck restriction" on Azalea Road (State Route 1021). (Resolution Number 19-12-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Sue Palmer and Mr. Greg Myers were then present to give comments on the future use of the old Colonial Elementary School site. Mr. Myers stated that he has been a realtor for 30 years. He noted that the new Colonial school will be completed soon and Mrs. Palmer and other Colonial School alumnae have formed a group to consider future uses of the old school building/property.

Mr. Myers stated that there are numerous opportunities on this site that would maintain and utilize the building, grounds, classrooms and gymnasium. He noted that the classrooms and gym could be used for parks and recreation programs, County offices, economic development opportunities, etc., and the kitchen/cafeteria could be rented for social events/meals, Extension Office space, a local history center, and it could be made available for citizen use. Mr. Myers stated that rental fees or other revenue-generating ideas could be used to pay for maintenance costs.

After discussion, Mr. Myers stated that this site could be used to enhance the quality of life of the citizens in the Blue Ridge area through the use of the gym and its equipment; large community meetings for fundraising events could be held in the building; educational facilities, outlying County offices, a Sheriff's or Health Department annex, a cannery, retail spaces, and business incubators.

He noted that there is a need for office and retail space in this area as well a day-care facilities for adults and special needs individuals, pre-school/day care facility, senior citizens center, retraining center for un- and underemployed citizens, studio work spaces, FFA space, head-start programs, display space for the Botetourt Historical Society, a Red Cross emergency shelter, an after-school youth center, VFW facility, etc.

Mr. Myers stated that there are many possible revenue generating opportunities from this building.

After discussion, Mr. Myers then presented the Board with a petition containing approximately 900 signatures regarding future uses of this property.

Mr. Martin stated that he knows that this group has worked for approximately two years to gather ideas for the future use of the old Colonial Elementary School site.

Mrs. Sue Palmer of First Crossing Drive in Roanoke stated that she was a member of the last graduating class from Colonial High School (1959). She noted that citizens worked with the County to build this school in the 1930s. She noted that the County allocated \$1,000 and the citizens contributed \$2,750 for this school which was a WPA program/project during the Great Depression. She further noted that the school opened in 1939.

Mrs. Palmer then stated that current figures show that the population in this general area is 15,375 with the 0 – 19 age group consisting of 22% of that figure; the 20 – 59 age group consisting of 52%; and the 60+ age group consisting of 26% of the population. Mrs. Palmer stated that this facility/property should generate revenue and offer community services to the County and the citizens of this area. She noted that there are 3 sections to the school—one section could be used for economic development, another for community meeting rooms/museum area, and the kitchen/cafeteria could be used for meals or fundraising events.

She further stated that a study of the building's physical plant systems would be needed to determine if upgrades are warranted. Mrs. Palmer stated that she met with Supervisor Martin, Deputy County Administrator Moorman, and Economic Development Director McFadyen to discuss ideas for this site and also talked with Sheriff Sprinkle and Recreation Director Jim Farmer.

Mrs. Palmer further noted that the Extension Office receives calls from citizens asking about canning and food preservation and the school's kitchen could be used for this purpose.

Mrs. Susan Goad, Director of the Department of Social Services, stated that there are no adult day-care facilities in this area and child day-care facilities are also needed. Mrs. Goad stated that she supports Mrs. Palmer's efforts in these matters.

Mrs. Palmer stated that they are aware that there will be costs involved in the renovation of this building after the elementary school students/personnel are moved to the new school. She urged the Board to include funding in the budget for an assessment of these buildings, potential use of these structures, and research for possible revenue generation to off-set renovation/maintenance costs.

After discussion, Mrs. Palmer requested that, if the sale or lease of the property occurs, provisions be set that the building will never be destroyed/demolished and that a partnership be created that allows the residents to use the gymnasium, cafeteria, and the west end of the building for community services activities.

She stated that the County does have space needs and a great respect for historical landmarks. Mrs. Palmer further stated that the area's citizens are willing to assist in any way they can and thanked the Board for their consideration.

Mr. Martin thanked Mrs. Palmer and Mr. Myers for their presentation and stated that the Board will take their comments under consideration.

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 4:35 P. M.

Mr. Jim Farmer, Director of Recreation and Facilities then gave a presentation on the FY 20 Recreation Incentive Fund projects. Mr. Farmer stated that many outstanding community groups submitted applications for Incentive Fund projects this year. He noted that the County included \$35,000 in the budget for this program which provides matching funds to non-profit community service groups, individuals, or corporations who want to make recreation-related capital improvements in the County.

Mr. Farmer then gave a PowerPoint presentation on this year's projects: installation of historical markers at the Academy Hill School locations in Fincastle to recognize the site as the only school that served the African American community from the 1930s to 1959; construction of new restrooms at the Buchanan Town Park; new playground at Eagle Rock Elementary School; trail informational kiosk at the Route 606 (Blue Ridge Turnpike)/U. S. Forest Service Road 634

intersection; and installation of mile marker signs along the James River Water Trail to help river users know their location in the event of an emergency.

After questioning by Mr. Martin, Mr. Farmer stated that these markers will be installed every 2 – 3 miles along the river.

Mr. Farmer noted that additional Incentive Fund projects included replacement of the visiting side batting cage at James River High School; creation of an on-line resource of mountain biking trail opportunities in the County; new playground at Troutville Elementary School; and replacement of video security cameras at the Troutville Town Park. Mr. Farmer stated that \$3,200 from the Recreation Department's playground maintenance account will be applied to the funding of the two new playgrounds.

After further discussion, Mr. Farmer thanked the Board for the opportunity to share information on award of these community service projects.

After questioning by Dr. Scothorn, Mr. Farmer stated that he believes that there is a need to increase the County's annual budgetary allocation for the Recreation Incentive Fund. Mr. Farmer stated that he plans to request additional program funds in the upcoming FY 21 budget development process.

Mr. Farmer noted that all of these projects are voluntary efforts by the County's citizens and community groups.

Mr. Clinton noted that he serves as the ex-officio member on the Recreation Commission. He stated that this program has been a success over the 15+ years since it was created. He noted that the Incentive Fund began as a way to improve County athletic facilities and the program's parameters have been expanded to include all types of recreation-related capital improvements.

Mr. Clinton stated that the installation of mile marker signs along the James River is a good project and commended Mr. Farmer for the work he is doing for the County.

After questioning by Mr. Clinton, Mr. Farmer stated that a few of the school system's playgrounds have been upgraded over the past few years through this Fund and those projects have been brought in within budget.

Dr. Scothorn suggested that QR codes be included on the mile marker signs to provide citizens/tourists with information on area amenities/other sites of interest.

Mr. Farmer stated that this is a good idea; however, he noted that there are some sections along the James River that do not have cell service.

After questioning by Dr. Bailey, Mr. Farmer noted that \$3,200 from the County's playground maintenance fund will be used to help complete the funding for the two new elementary school playgrounds.

Mr. Farmer noted that, as funding for these Incentive Fund projects were included in the FY 20 budget, there is no action required by the Supervisors on this item.

There being no further discussion, Mr. Martin thanked Mr. Farmer for this presentation.

Mr. Corbin Stone with Robinson, Farmer, Cox Associates was then present to provide a report on the FY 19 County audit. Mr. Stone stated that their work on the audit went well with only a few recommended adjustments. He noted that there were also a few unusual transactions in the FY 19 audit period including the transfer of the landfill's disposal area to County Waste and recovery of interest expenses on the new Colonial Elementary School project.

Mr. Stone then reviewed several charts/graphs containing various select financial information from the past 10 years. He noted that, as shown on page 1 of his presentation, as of

June 30, 2019, the County had \$50 million in the General Fund balance; \$26.7 million of which was in the unassigned/assigned fund balance. He noted that this unassigned/assigned fund balance figure was \$14 million in FY 2010. Mr. Stone stated that the County has had good growth in this amount over the past few years.

Mr. Stone stated that modified accrual-based account parameters were used in the calculations at the top of the page and a full accrual accounting method was used on the calculations at the bottom of the page. Mr. Stone stated that the County's total asset value increased from \$47 million to \$55 million between FY 18 and FY 19 and its unrestricted fund balance increased from \$10 million to \$16 million in the past fiscal year.

Mr. Stone noted that the County's net pension liability decreased \$2 million while the School division's net pension liability decreased \$3.1 million due to changes in actuarial estimates. He further noted that the landfill closure liability (\$3,000,000) was removed from the audit calculations as County Waste is now responsible for those expenditures. Mr. Stone noted that the County's per capita debt for FY 19 was \$1,722 compared to \$1,956 in FY 18.

Mr. Stone stated that the graph on page 2 shows the County's long-term obligations compared to the assigned/unassigned fund balance. He noted that these long-term obligations include the issuance of bonds for the new Colonial Elementary School. Mr. Stone stated that the chart on page 4 shows the County's major revenue sources (property taxes, other local taxes, State funds, federal funds, and recovered costs) over the past 12 years and the graph on page 5 indicates the expenditures for government administration, public safety, education, parks and recreation, community development, etc.

Mr. Stone then stated that the pie charts on pages 6 and 7 show the County's revenue percentages from various sources in FY 19 compared to FY 10. He noted that there is a greater reliance on local dollars in FY 19 than in FY 10 due to flat State revenues. He stated that page 8 lists the County's tax assessment (real estate, personal property, mobile homes, machinery and tools, and public service) figures over the past 15 years. Mr. Stone stated that the County's tax base is growing and the County has seen growth in all areas of tax assessment over the past few years. He noted that this has not been the case in a many other jurisdictions that his firm audits.

Mr. Stone stated that the graph on page 9 shows the school system's revenue sources over the past 12 years. He noted that County and State funds for the school system have increased over the past few years while the federal monies remain stagnant.

After discussion, Mr. Stone then noted that pages 10 – 11 include his audit management recommendations. He noted that there were no significant recommendations other than a couple of internal control/operational matters regarding the schools and social services operations that need to be addressed. Mr. Stone stated that recently-adopted federal guidelines (Federal Uniform Guidance) will necessitate the County adopting certain purchasing and personnel policies that apply to individuals with roles in federal grant administration including procurement. He noted that these revised policies will need to be adopted by the County before the next audit is completed.

Mr. Stone then stated that pages 12 – 15 of his report includes a letter explaining the audit process, their interactions with County/School staff during this process, and a list of adjusting journal entries for the General and School Funds that were recommended by his staff. He noted that they had no problems with the County staff during the audit review process and staff were very responsive to any requests for information. Mr. Stone noted that pages 17 – 23

includes a summary of upcoming Governmental Accounting Standards Board (GASB) standards which will be implemented in the next few years.

Mr. Clinton stated that this audit reports looks very good and questioned the public service designation on the tax assessment chart on page 8.

Mr. Stone stated that public service entities include power companies (AEP, Dominion Power) and natural gas companies (Roanoke Gas, Columbia Gas), among others. It was noted that AEP and Roanoke Gas have made significant infrastructure additions/improvements in the County over the past few years which has increased their infrastructure values and tax assessments. Mr. Stone noted that the State assesses the public service companies and then forwards those figures to the localities for taxation purposes.

After discussion, Mr. Stone stated that in 2015 personal property valuations decreased in other localities but the County's personal property assessment values have increased during that period.

After questioning by Dr. Bailey, Mr. Stone stated that he would say that the County's financial responsibility is strong/well above average compared to other localities that his company audits.

There being no further discussion, Mr. Martin thanked Mr. Stone for his work on the County audit and for today's presentation.

Mr. Stone noted that his contact information was included in today's report and asked that the Board contact him if they have any questions about the audit.

Mr. Martin then stated that the next agenda item would be a presentation by Mr. Charlie Johnson on the Apex Clean Energy project. Mr. Martin noted that he had mentioned earlier in the meeting that those citizens who wished to delay their comments until this item's presentation could do so. He reminded those present that this discussion will be civil process. He noted that this meeting is not a public hearing; it is only the beginning of the process regarding this item and there will be other opportunities for public comment on Apex's proposal.

Mr. Martin stated that no decisions by the Supervisors have yet been made on this item.

He noted that the Board upholds the citizens' first amendment rights and each speaker will be given 3 minutes to make comments. Mr. Martin stated that a speaker from the earlier public comment portion of the meeting will not be allowed to speak again during this agenda item.

Mr. Michael Lockaby, County Attorney, stated that Mrs. Nicole Pendleton, Director of Community Development, will also be involved in presenting agenda items 12 through 14. He noted that agenda item 12 is a presentation by Apex on their wind energy project's current situation. Mr. Lockaby stated that Apex was issued a Special Exceptions Permit (SEP) by the Supervisors for this wind farm in 2016 and the company obtained the necessary State permits through the Virginia Department of Environmental Quality to operate this facility.

Mr. Lockaby stated that agenda item 13 is a request for the Board to consider a proposal from Apex and the Fraleys for Zoning Ordinance text amendments regarding a revised proposal for their wind farm project. He stated that these amendments request a change to the County's baseline law—the Zoning Ordinance.

Mr. Lockaby noted that agenda item 14 is a staff request to issue a contract or amend a request for proposals for consultant services to assist staff in conducting an evaluation of the proposed amended SEP, if such a request comes before the Planning Commission and Super-

visors for consideration. Mr. Lockaby stated that hiring of the consultant would be contingent upon the Supervisors allowing the text amendment request to proceed.

Mr. Martin thanked Mr. Lockaby for his explanation of these three agenda items.

Mr. Martin then opened the floor for public comment.

Mr. Steve Neas of Moore's Creek Road in Lexington then stated that, according to Apex, the average wind speed of these turbines would be between 13 – 18 mph. Mr. Neas stated that the area has experienced high wind events in the past. He noted that peak energy needs usually occur between July and September. He noted that natural gas generating facilities do not stop operating during high wind events like wind turbines would have to do.

Regarding decommissioning, Mr. Neas questioned if there was a landfill facility within 30 miles of this wind farm that would take the refuse from these turbines when the project is closed down. He noted that Apex's report makes no estimate on the volume of refuse from these large turbine blades. Mr. Neas noted that Apex's engineer's estimate to disassemble the turbines is \$142,000 each; however, he has obtained figures that it would cost \$400,000 - \$500,000 each.

Mr. Neas stated that the Board should do their due diligence and ensure that the decommissioning costs are included in the surety bond. He also encouraged the Board to contact other localities that have wind farm facilities so "you can learn from their mistakes."

Mr. Jeff Scott of Smokey Run in Lexington stated that Apex has a record of questionable business practices and have been sued or investigated for projects in Oklahoma, Illinois, and New York. He noted that the New York project (Lighthouse Wind) is on hold due to a report of slick and deceptive practices. Mr. Scott stated that a paid Apex lobbyist put out false and deceptive information about a group who was opposed to their wind facility, the company lied about receipt of a letter from the U. S. Fish and Wildlife Service, among other things.

Mr. Scott stated that the New York Attorney General was asked to investigate claims of "astroturfing" which is the practice of concealing the true authors of a statement.

After discussion, Mr. Scott noted that the Freedom of Information Act does not require the public to be informed of a meeting of a governing body of less than 3 members in attendance. Mr. Scott stated that he wants to know if any such meetings have occurred with Apex by Botetourt County officials. He stated that Apex will not abide by any provision of the SEP.

Ms. Molly Petty of Cove Lane in Rockbridge Baths stated that Mark Twain said that it is a terrible thing to be talked to death. Ms. Petty stated that she may live in Rockbridge County but has to live with Botetourt County's decision on the Apex project. She requested that the Board not approve this request as it affects the views, wildlife, and land in this area.

Ms. Petty requested that the Board deny this request. She noted that the public knows more about climate change, bird migration patterns, and forest impacts now than in the past. She further noted that Apex has a troubling approach to pre-construction due diligence practices.

Ms. Petty stated that the limits on public comments are troublesome. She noted that Apex wants to change the rules but unhurried decision-making is needed on this request.

Ms. Petty referenced a recent survey which showed that 7 bald eagles were flying in this area at the height of the proposed turbines.

Mr. Jonathan Miles of Crozet, Virginia, stated that he is a Professor of Integrated Science and Technology and Executive Director of the Center for the Advancement of Sustainable Energy at James Madison University. Mr. Miles stated that he has worked with more than a dozen wind developers over the years and Apex is one of the most thorough and certified developers that he has been associated with. Mr. Miles stated that he encourages his students

to go to work for Apex after graduation as they are a certified and diligent company in the wind industry.

Regarding comments made pertaining to the project's impact on property values, Mr. Miles stated that property owners near the site will have some concerns; however, a 10 year old report stated that the impact of wind projects on real properties' proximity to these projects has a negligible effect.

Mr. Miles stated that comments made earlier in this meeting were that Apex is asking for these permit modifications and more will be submitted in the future, that Apex's proposal is a bait and switch, etc. Mr. Miles stated that, in the 4 – 5 years since the original SEP was approved, wind energy technology has advanced significantly. He noted that it would be inefficient on Apex's part to not consider the latest technology.

Mrs. Jean Claunch of Mt. Moriah Road in Eagle Rock stated that she has lived on her property for 48 years and likes the area's mountain views. She stated that southwest Virginia already has a renewable energy producer as hydroelectric facilities at Claytor Lake, Smith Mountain Lake, and Lake Moomaw have been generating renewable energy for many years.

She noted that the ecological costs outweigh the benefits of the Apex project which requires wind speeds that are strong and constant enough to turn the blades. Mrs. Claunch stated that the meteorological tower (MET) placed on the Fraley property several years ago shows that the winds do not blow adequately to meet this need.

Mrs. Claunch stated that the Bath County pump storage facility produces 3,000 megawatts of electricity which exceeds the power generation of the Hoover Dam. She further stated that these three hydroelectric facilities produce 350 times the electricity of the Rocky Forge facility. Ms. Claunch then noted that she was appalled that the Sierra Club came out in support of this project. She asked that the Board not approve this request.

Mr. Eric Claunch of Mt. Moriah Road stated that the Supervisors should consider other ordinance amendments that would protect the Supervisors and the County residents. Mr. Claunch stated that he is retired from the Air Force and has reviewed large government contracts and has seen where companies maximize their contracts while meeting government requests.

Mr. Claunch stated that he opposes Apex's proposal due to potential conflicts of interest, inadequate County oversight, and generation of low frequency noise below 20 hertz (infrasound). He noted that infrasound is below the range of human hearing, travels farther than audible sound, and the County's current ordinances have no provisions pertaining to inaudible noise. Mr. Claunch stated that infrasound can cause irritability, chest pain, vertigo, psychological disturbances, etc.

Mr. Claunch stated that some studies have shown that infrasound can travel up to 40 – 60 kilometers (25 – 37 miles) and it is harmful to people and animals. He asked that the Board amend the ordinance to include regulations regarding infrasound measurements including provisions for peak infrasound requirements.

Ms. Tenney Mudge of Lexington then requested that the Board do all of their homework on these proposed ordinance amendments. She stated that there is a reason why Apex does not have a private capital purchaser for their project's energy; the State of Virginia is buying the electricity generated by this wind farm.

Ms. Mudge stated that the County's ridges are not renewable. She noted that pre-construction wildlife surveys are required for these types of projects but they have a shelf life of

1 – 3 years. She noted that anything can happen in nature in two years. Ms. Mudge also stated that wildlife corridor studies must be redone.

She stated that the proposed larger turbines have a larger sweep area than what was originally approved. Ms. Mudge noted that Apex has never been involved in a wind tower installation located on a high ridge top and adding two years to this project's completion deadline is an "egregious injustice." She stated that the Supervisors are "smart people" and they should not be "fast tracked or painted into a corner" by Apex's proposed requests.

Mr. Alan Brown of Lexington then stated that his home would be in the shadow flicker area of these towers. He noted that sound travels in the woods.

Mr. Brown stated that he is aware that Apex's current request is to amend the existing Zoning Ordinance and SEP; not stopping the project. He encouraged the Board to say "no" to this request if they want to protect themselves and the County's citizens. He said that "we cannot count on the federal government to protect us."

Mr. Charlie Johnson with Apex Clean Energy then gave a PowerPoint presentation to update the Board on the Rocky Forge wind project. Mr. Johnson stated that Apex is a renewable energy company and has several wind and solar projects in the United States. He noted that they are accelerating the transition to clean energy. Mr. Johnson stated that the company began in 2009 and to date have installed 3 gigawatts of electrical generating infrastructure across the country. He noted that the Rocky Forge project has a many environmental benefits and has had a lot of public support. Mr. Johnson noted that, as proposed, this project would provide 200,000 megawatts to the domestic energy supply per year.

Mr. Johnson stated that they have received approval from the County and the State for this wind farm project and have support from the Sierra Club, the Virginia Conservation Legacy Fund, and other such agencies. He then presented a slide that showed the media's coverage of this project.

After discussion, Mr. Johnson stated that the project's economic benefits include 250+ jobs created during construction which will generate an estimated \$39 million in trickle-down effects for the area's economy; 6 – 7 permanent jobs upon the project's completion; educational benefits for citizens and tourists as this will be Virginia's first wind farm; mountain biking opportunities may be available on some of the land, etc.

Mr. Johnson noted that they have four MET towers on the site which have collected over 195 months of data to date on the area's wind and weather conditions. He further noted that Apex has obtained concurrence from the U. S. Fish and Wildlife Service that the project is no risk to raptors; concurrence from the Virginia Department of Environmental Quality on the project's compliance with environmental regulations; demonstrated compliance with the County's Zoning Ordinance; and an interconnection service agreement has been signed with the State of Virginia that 78.2 megawatts of energy will be added to the electrical grid.

Mr. Johnson stated that the State's service agreement to purchase electricity generated by this project fits well with the Governor's mission regarding renewable energy. He noted that this agreement will make this project more than a Botetourt community project.

After discussion, Mr. Johnson stated that Apex's request today pertains to two applications that have been submitted to the Community Development Department: Zoning Ordinance text amendments to allow the wind turbines' height to be up to 680', and for a two-year extension of the project's completion date which was included in the 2016 Special Exceptions Permit approval.

Mr. Johnson then displayed a rendering by Hill Studio showing the appearance of the currently-approved 550' towers and the proposed 680' towers from the closest neighbor's property.

Mr. Johnson stated that, if the two-year extension request is approved, the facility should be operational by the end of 2021.

Regarding the taxes generated by this project, Mr. Johnson stated that it is estimated that \$1 million in tax revenues will be generated in the first year of operation and up to \$17 million over the life of the project. He noted that, in this regard, Apex is requesting that the tax rate for this wind farm project be reduced from 99¢ per \$100 valuation to 90¢ per \$100.

After questioning by Mr. Clinton, Mr. Johnson stated that the project's 10.1 megawatt capacity is derived in the market by third-party financiers.

After questioning by Dr. Scothorn, Mr. Johnson stated that the project's current delays are due to lack of access to the property as financial agreements with the adjacent property owners have not been signed.

After questioning by Mr. Martin, Mr. Johnson stated that they currently do not have signed access agreements that they need from property owners along the access road but hope to reach an agreement soon.

After questioning by Dr. Bailey as to whether Apex wants to lease or purchase this needed right-of-way, Mr. Johnson stated that the right-of-way along Dagger Spring Road is owned by VDoT. After further questioning by Dr. Bailey, Mr. Johnson stated that the terms of the lease agreements varies. After further questioning by Dr. Bailey, Mr. Johnson noted that, if Apex had to decommission the turbines, they would not go back to the access road's property owners and re-lease the additional right-of-way.

The Chairman then called for a 5 minute break.

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

After questioning by Mr. Martin, Mr. Lockaby stated that Mr. Wellons had left the meeting.

After questioning by Mr. Martin, Mr. Lockaby stated that Mr. Wellons' indicated that his client is far from reaching an agreement with Apex for access to the wind turbine site.

After questioning by Mr. Martin, Mr. Johnson stated that Apex is requesting that the County's property tax rate on wind farms be reduced from 99¢/\$100 valuation to 90¢/\$100.

The Board thanked Mr. Johnson for his presentation.

Consideration was then held on a request for the Board to consider proposed Zoning Ordinance text amendments regarding Apex Clean Energy's project. Mrs. Nicole Pendleton, Director of Community Development, stated that Apex has submitted two separate but related requests to the County.

She noted that the Zoning Ordinance has a mechanism that allows a property owner or his agent to file a petition requesting a change in the ordinance's text. She noted that this petition is first considered by the Board of Supervisors who consider whether the request should be forwarded to the Planning Department's staff for further consideration.

Mrs. Pendleton stated that her office has received a petition from Apex Clean Energy/ Jerry Fraley requesting that the Zoning Ordinance be amended to permit taller turbines, to increase the structure height for substations and points of interconnections, and to revise the

Special Exceptions Permit (SEP) expiration timeframe. She stated that, if the Board approves this petition, the proposed amendments would be reviewed by her staff and any necessary revisions made before they are taken to the Planning Commission for consideration at a public hearing. Mrs. Pendleton noted that after the hearing the Planning Commission would make a recommendation to the Supervisors who would then conduct a public hearing on the proposed amendments.

Mrs. Pendleton stated that, if today's consideration of this text amendment request were denied by the Supervisors, the proposed amendments would not be forwarded to the Planning Commission for consideration. She noted that there is no time limit on the Board's consideration of this request.

After discussion, Mrs. Pendleton stated that, if these text amendments are eventually approved, they would be in effect countywide.

Mrs. Pendleton then gave a background on the County's utility wind ordinance. She noted that before January 2015 the Planning Department's staff spent 6 months conducting research on utility-scale wind projects. She noted that they researched State and national ordinances, obtained feedback from James Madison University's Center for the Advancement of Sustainable Energy and the Virginia Department of Environmental Quality, and determined that these facilities would only be allowed via SEP in the Agricultural A-1 and Forest Conservation FC use districts.

Mrs. Pendleton noted that the Supervisors and Planning Commission members at that time also visited the Beech Ridge wind facility in West Virginia.

She stated that staff made revisions to the ordinance during these reviews and, to strike a balance for oversight, provisions were included that a third-party consultant would review each project's application under the SEP process. Mrs. Pendleton noted that the Supervisors approved the Rocky Forge request in January 2016 with 17 conditions.

Mrs. Pendleton stated that Apex and Mr. Fraley are also requesting that the SEP's conditions be changed. She noted that these conditions cannot be changed until/unless the Zoning Ordinance is amended.

After discussion, Mrs. Pendleton stated that the Board's action today to proceed with the text amendments would "put a process into motion" for staff to study the text amendment revisions and take these amendments to the Planning Commission for consideration at a public hearing. She noted that the timeframe for the Commission to take action on these amendments can be set by the Supervisors.

After questioning by Dr. Bailey as to how much due diligence the staff would need to redo, Mrs. Pendleton stated that, specific to the text amendments, they would research industry standards and the Apex/Fraley application to determine what turbine height would be recommended, what studies needed to be completed, when they would need to be completed, etc., and this would then impact the specific Zoning Ordinance amendments drafted for the Commission's review/public hearing.

After questioning by Dr. Scothorn regarding the validity of the bat and other wildlife studies after 2-3 years, Mrs. Pendleton stated that she would defer to Mr. Johnson regarding the viability of the State's environmental studies.

Mr. Charlie Johnson of Apex Clean Energy stated that DEQ has given their consent that the previous bird study conducted on the Fraley property is still active.

Mr. Martin noted that West Virginia also conducted studies on the animals impacted by the Beech Ridge project.

Mr. Johnson stated that they conducted studies on the animals that might be harmed as a result of this project.

After questioning by Mr. Martin regarding fencing and the proposal to use some of this property for all-terrain vehicle trails, Mr. Johnson stated that the only fencing on the site would be located around the electrical substation, not the turbines.

Dr. Bailey stated that the Board members have heard a lot of comments--both pro and con--today and over the past few weeks on this issue. Dr. Bailey stated that, in light of due diligence, he believes it is fair to move this request to the Planning Commission for further review and study.

Dr. Bailey then made a motion to refer the proposed amendments to Section 25-446 of the County Zoning Ordinance to the Planning Commission for its review and recommendation. Dr. Scothorn seconded this motion.

Dr. Scothorn stated that he would like to defer action on the request to obtain consultant engineering services to review the application to revise the existing Apex Clean Energy Rocky Forge Wind Special Exceptions Permit. He noted that staff will draft the text amendments for the Commission's review and the consultant would review the financial viability and financial impacts of the project and provide suggestions/ideas that would make for a better project.

Mr. Michael Lockaby, County Attorney, stated that the text amendments brought back to the Board would probably not include all of these aspects of the project as all of these factors are very site-specific and these ordinance amendments would be in effect countywide. Mr. Lockaby stated that staff would likely focus on the best practices in the State and elsewhere along with changes in wind turbine technology over the past 4 – 5 years.

He stated that, once a site-specific application is considered, then the technical aspects are reviewed. He noted that the consultant would be needed in a small advisory capacity but not for a "full-on analysis" as was done for the SEP application in 2015/2016.

Mr. Clinton stated that the wording contained in Apex's attorney's letter dated October 31, was that they thought that the project could be completed in 5 years but time "has quickly passed." He noted that the letter goes on to say that this project was the first wind farm in Virginia to receive a Permit by Rule and the company felt the need to educate and work through all aspects of the project.

Mr. Johnson stated that Apex still had to do a lot of background work after the County's public hearing/approval process. He noted that they had to reach out to buyers and educate them on the project as well as working with the Governor's office. Mr. Johnson stated that he is proud to work for Apex and the educational opportunities that they provide for the utility wind industry.

After questioning by Mr. Clinton, Mr. Johnson stated that the Permit by Rule process included obtaining the necessary environmental permits to construct this project. He noted that this permit was received in 2017. Mr. Johnson further stated that the company also had to go through the Virginia Department of Historic Resources assessment, conduct a plant species study, etc., during this permit approval process.

Mr. Martin noted that a lot of time and energy has been put into this process over the past 3 years.

Mr. Clinton stated that he would like to amend the motion on the floor. He noted that this process is irregular and includes text amendments and a request to revise the SEP's conditions. Mr. Clinton stated that the Supervisors should not send a message that they approve or disapprove of the project and that the appropriate in-house review process will be diligent and rigor-

ous given its visibility. Mr. Clinton stated that he thinks that the County needs to “go afield” for some advice.

Mr. Clinton then requested the County Attorney’s advice in how to state his amendment to Dr. Bailey’s motion.

Mr. Lockaby stated that Mrs. Pendleton and her staff will spend a lot of time reviewing and researching these requests from Apex and she will probably reach out to consultants during that process to obtain needed, unbiased information.

After discussion, Dr. Bailey and Dr. Scothorn agreed to Mr. Clinton’s proposed amendment to their resolution as follows: A motion to refer the request from Apex Clean Energy and Jerry L. Fraley for proposed amendments to Section 25-446 of the County Zoning Ordinance to the Planning Commission for its review and recommendation with the clarification that potential approval of any such amendments does not imply approval of the underlying request for revisions to the conditions approved with the utility wind farm’s Special Exceptions Permit in 2016 and should be taken objectively without reference to a specific application for a SEP. (Resolution Number 19-12-08)

This amended motion was approved by the following recorded vote:

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Pendleton then stated that no action is needed at this time on the staff’s request for consultant engineering services to review the revised Apex Clean Energy SEP application.

Consideration was then held on the extension of the State of Virginia’s performance agreement with HBM, Inc. Mr. Ken McFadyen, Economic Development Director, stated that Home Brew Mart, Inc. (HBM/Ballast Point Brewing) entered into incentive performance agreements with the County and Economic Development Authority in June 2016 to locate the company’s brewery and tasting room in Botetourt Center at Greenfield. He stated that there are 2 agreements—a Commonwealth Opportunity Fund (COF) State incentive agreement, and a local performance agreement.

He noted that Constellation Brands purchased the Home Brew Mart and Ballast Point brands after that time and, earlier this month, Constellation Brands announced the sale of the companies/brands except for the brewery located in Greenfield.

Mr. McFadyen noted that the original initial performance date in the COF agreement is December 31, 2019, to reach targets of \$47.8 million in capital investment, the creation and maintenance of 133 production jobs, and 45 tasting room retail positions. He stated that Constellation Brands has submitted the letter included in this agenda item requesting a 15 month extension of the performance date from December 31, 2019 to March 31, 2021.

Mr. McFadyen stated that the Ballast Point tasting room/restaurant was closed in September 2019 and the letter mentions the possibility of this aspect of the building to be reopened/reused in 2020. He noted that the Botetourt County brewery is the company’s primary beverage production facility on the East Coast.

Mr. Martin stated that he believes that the request for an extension of the COF agreement should be approved.

After questioning by Dr. Bailey, Mr. McFadyen noted that the Virginia Economic Development Partnership plans to concur with this extension request at their January 2020 meeting.

After further questioning, Mr. McFadyen stated that he was told that the State has not denied an industry's performance agreement extension request in several years.

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 request to allow Constellation Brands to continue progress toward the job creation targets in their performance agreement and approved their request to extend the Commonwealth Opportunity Fund (COF) Initial Performance Date to March 31, 2021, subject to review and concurrence by the Virginia Economic Development Partnership. (Resolution Number 19-12-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Under Committee Reports, Mr. Clinton stated that he and Dr. Bailey were recently appointed by the Chairman to serve on the Facilities Study Committee. Mr. Clinton noted that he was unable to attend a recent Committee meeting with Circuit Court Judge Joel Branscom and Circuit Court Clerk Tommy Moore. He noted that the Circuit Courthouse is in significant need of HVAC improvements and the Committee believes that a consultant should be hired to assist with this renovation process so the work can proceed as soon as possible.

Dr. Bailey stated that only one meeting has been held to date with the Judge and Circuit Court Clerk on this matter. He stated that various architectural and engineering firms are being reviewed to assist the County with this project.

Dr. Bailey stated that the Greenfield Education and Training Center's redesign is proceeding so that various County offices can be relocated to the renovated space and then work can proceed next year to assess the Circuit Courthouse's renovation needs.

Dr. Scothorn stated that relocating the County offices to the ETC is an immediate need.

Regarding the Agricultural Committee's report, Dr. Bailey then stated that he, Mr. Larrowe, and Mr. McFadyen recently attended a meeting in Vinton on fiber/industrial hemp production. He noted that the hemp industry has a lot of promise agricultural-wise.

Dr. Scothorn then noted that the County has not heard back from the State on the Lumos VATI broadband grant application.

After discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board appointed Mr. Marty Francis as one of the County's representatives on the Blue Ridge Behavioral Healthcare Board of Directors for a three year term to expire on December 31, 2022, and direct staff to send a letter to Mrs. Donna Henderson thanking her for her previous service on the Board of Directors. (Resolution Number 19-12-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A staff presentation was then given on the Strategic Work Plan. Mr. David Moorman, Deputy County Administrator, stated that staff has worked with Ms. Tyler St. Clair to develop action plan items based on the Strategic Priorities adopted by the Supervisors earlier this year.

He noted that staff has begun implementing some of the goals and several have already been completed while concurrently developing these action plan items.

Mr. Moorman noted that the draft work plan was included with the Board's information on this agenda item. He noted that the work plan, which is a living document/guide, is presented at this time for the Board's review. Mr. Moorman stated that the Board could endorse this work plan today or delay this action for a future meeting.

Dr. Scothorn stated that this is a very detailed document and he appreciates the staff's work in developing these work plan items.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board endorsed the Strategic Work Plan as a guide for implementation of the Board's strategic priorities. (Resolution Number 19-12-11)

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

NAYS: None

ABSENT: None

ABSTAINING: None

After discussion, on motion by Dr. Scothorn, seconded by Mr. Sloan, and carried by the following recorded vote, the Board appointed Mrs. Shelly Hutson of 5515 Breckinridge Mill Road, Fincastle, as the parent representative on the Community Policy and Management Team for a two year term to expire on September 1, 2021. (Resolution Number 19-12-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

A public hearing was then held on a request in the Fincastle District from William C. and Helen D. Ronk to rezone 3.8 acres of a split zoned 8.362-acre parcel from the Residential (R-1) Use District to the Agriculture (A-1) Use District, with possible proffered conditions, in accordance with Section 25-581. Zoning Map Amendment-Owner Initiated of the Botetourt County Zoning Ordinance so that the zoning is consistent for the entire parcel. This site is located at 1429 and 1447 Blacksburg Road, Fincastle, and is identified on the Real Property Identification Maps of Botetourt County as Section 73, Parcel 108.

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

Mr. Drew Pearson, County Planner, stated that this 8.362 acre parcel is currently split-zoned for both R-1 and A-1 use and the owners would like to make the zoning consistent on the entire parcel.

Mr. Pearson stated that there are currently two residential homes, along with a number of agricultural structures, on the R-1 zoned portion of the property. He noted that the owners may want to divide the property for a family conveyance in the future and have requested that the zoning be made consistently A-1 on the entire 8.3 acre parcel.

Mr. Pearson noted that one of the Ronk family members and their surveyor, Chris McMurry, were present at the meeting to answer any questions.

After questioning by Mr. Martin, Mr. Pearson noted that the Planning Commission had no concerns about this request.

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

There being no further discussion, on motion by Dr. Bailey, seconded by Dr. Scothorn, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved

this rezoning request as submitted. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other. (Resolution Number 19-12-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

**WILLIAM C. AND HELEN D. RONK**

In the Fincastle Magisterial District to rezone 3.8 acres of a split zoned 8.362-acre parcel from the Residential (R-1) Use District to the Agriculture (A-1) Use District in accordance with Section 25-581. Zoning Map Amendment-Owner Initiated of the Botetourt County Zoning Ordinance so that the zoning is consistent for the entire parcel. This site is located at 1429 and 1447 Blacksburg Road, Fincastle, and is identified on the Real Property Identification Maps of Botetourt County as Section 73, Parcel 108.

There being no further discussion, the meeting was adjourned at 6:47 P. M.