

The regular meeting of the Botetourt County Board of Supervisors was held on Thursday, December 22, 2016, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 12:45 P. M.

PRESENT: Members: Mr. L. W. Leffel, Jr., Chairman
Mr. Todd L. Dodson, Vice-Chairman
Mr. John B. Williamson, III
Dr. Donald M. Scothorn
Mr. Billy W. Martin, Sr.

ABSENT: Members: None

Others present at the meeting:

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

The Chairman called the meeting to order at 12:47 P. M.

On motion by Mr. Leffel, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board went into Closed Session to discuss personnel matters regarding specific individuals; the acquisition of real property for public uses or the disposition of publicly held real property where discussion in open session would adversely affect the bargaining position or negotiating strategy of the public body; discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the County; and consultation with legal counsel regarding specific legal matters as per Section 2.2-3711A (1), (3), (5), and (7) of the Code of Virginia of 1950, as amended. (Resolution Number 16-12-02)

AYES: Mr. Williamson, Mr. Martin, Mr. Dodson, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman called the meeting back to order at 2:01 P. M.

On motion by Mr. Leffel, seconded by Mr. Dodson, 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 16-12-03)

AYES: Mr. Leffel, Mr. Dodson, Mr. Martin, Mr. Williamson, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

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

Mr. Leffel welcomed everyone to the meeting, wished them Merry Christmas, and then asked for a moment of silence.

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

After questioning, it was noted that there was no one present to speak during the public comment period.

Mr. Leffel stated that the Board had a nice strategic planning session on December 10. He noted that the staff brought the Board up to date on the status of the 40+ strategic priority work items. Mr. Leffel noted that the County has “had a really big year” in 2016 and everyone should be thankful. He stated that the successes included new businesses, new jobs, with more challenges ahead for the Board including work on the housing study so that the new companies’ employees can work and live in Botetourt County.

Mr. Martin stated that this was one of the best strategic planning session that he has attended. He noted that the Board and staff discussed “where we were, where we are now, and where we are going.” Mr. Martin stated that the County has excellent leadership, staff, employees, and fire and rescue personnel and he has also heard from others about how well the County is doing. He stated that the County has been in the news a lot this year with the announcement of more than 800 new jobs and it is good to be back in the forefront of economic development.

Mr. Williamson agreed with Mr. Martin’s comments.

Mr. Dodson stated that it is the Board members and the staff who are making these things happen. He noted that the County’s future “is what we want to make out of it; we are in the driver’s seat now.” He offered “kudos” to the staff and the citizens and noted that the County is moving forward and doing a good job. Dr. Scothorn also thanked the staff for their leadership and vision.

Mr. Leffel stated that there are a lot of uniformed staff in attendance at today’s meeting and he “cannot thank them enough” for their service and dedication.

Mr. Leffel further stated that the new County Administrator has a good record with what has happened in the County this year and is not letting the Board take a rest.

Mr. Cody Sexton, Management Assistant, then announced that the Upper James River Water Trail had been included in Travel and Leisure magazine as one of the best adventure vacations for beginners. He noted that the list of destinations is intended for beginning adventurers who want to experience the great outdoors without needing expert-level skills. Mr. Sexton noted that other sites on this list include sailing in Fiji, hiking in Italy, and snorkeling in Antarctica.

The Board thanked Mr. Sexton for this announcement.

Mr. Jim Farmer, Director of Parks and Recreation, then stated that the Greenfield Disc Golf Course had been accepted into the Virginia Treasures Program. He noted that this program was created to preserve, protect, and highlight Virginia’s most important ecological, cultural, scenic, and recreational assets as well as its special lands.

Mr. Farmer stated that the County submitted an application through the Virginia Department of Conservation and Recreation for this designation earlier this year and received notification of the course’s recognition in November. He noted that there are currently seven Treasure locations in Botetourt County consisting of conservation easements and the G. W. Rader House on Route 11 north of Troutville.

Mr. Farmer noted that he was recently at the disc golf course and some visitors from Tennessee on their way to New York stopped by to play the course. He noted that they had been informed of the site and specifically stopped to see the facility on their trip. Mr. Farmer stated that this is one of the things that makes Botetourt County a cool place to live and the County is pleased to have received this recognition.

Mr. Leffel then took the opportunity to thank Fire Chief Tommy Fuqua for twice assisting the County in a leadership role in the Fire and EMS Department while the County searched for a new Fire and EMS Chief. Mr. Leffel stated that Chief Fuqua has done a very good job and the Board appreciates his assistance.

Chief Fuqua stated that it “has been an adventure” and he has appreciated the County’s support during his tenure.

Chief Fuqua stated that he is present today to recognize the County’s Fire/EMS and Animal Control personnel who completed a complex horse rescue in October. He noted that the County had to obtain the necessary equipment to remove the horse from the second floor of a barn from another locality. Chief Fuqua noted that since that time the Sheriff has found available funds to purchase this same equipment for the County’s use in the event of similar future large animal rescues.

Chief Fuqua also asked that Dr. Tarah Satalino come forward. He noted that Dr. Satalino is an equine vet at Wingate Equine Services in Bedford and her guidance and vet services were of great importance during the October horse rescue. Chief Fuqua then read a letter of commendation for Dr. Satalino’s work with the County’s Fire/EMS and Animal Control personnel in October.

Chief Fuqua then thanked the team who responded and assisted with this call. He noted that they selflessly dedicate their lives to providing services the County and its citizens every day.

The Board thanked Dr. Satalino and the Animal Control, Fire, and EMS staff who responded to this call.

There being no discussion, on motion by Mr. Leffel, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved the following consent agenda items: (Resolution Number 16-12-04)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Approval of minutes of the regular meeting held on November 22, 2016;

Approval of minutes of the continued meeting held on December 10, 2016;

Approval of the following transfers and additional appropriations:

Transfer \$502.16 to Central Purchasing – Store Supplies, 100-4012530-12530-6021, from various departments as follows for store supplies usage:

\$ 14.00 County Adm. – Other Oper. Supplies, 100-4012110-12110-6014
 \$ 25.98 Finance - Office Supplies, 100-4012430-12430-6001
 \$ 66.00 Technology Serv. Uniforms & Apparel, 100-4012510-12510-6011
 \$ 7.18 Technology Services - Office Supplies, 100-4012510-12510-6001
 \$ 77.00 Electoral Board/Registrar – Other Oper, Supp., 100-4013300-13300-6014
 \$165.00 Maintenance – Uniforms & Apparel, 100-4043000-43000-6011
 \$ 93.00 Parks & Rec. – Other Oper. Supplies, 100-4071100-71100-6014
 \$ 20.00 Sport Complex – Other Oper. Supplies, 100-4071300-71300-6014
 \$ 34.00 Economic Dev. – Marketing, 100-4081500-81500-5840

Additional appropriation in the amount of \$1,800 to Parks & Recreation – Education & Recreation Supplies, 100-4071100-71100-6013. These are grant funds received from the Wildlife Foundation of Virginia to be applied to Fishing Carnival expenses.

Additional appropriation in the amount of \$659.49 to the following Sheriff's Department accounts: \$300.00 to Wages – Overtime, 100-4031200-31200-1500; \$22.95 to FICA, 100-4031200-31200-2100; \$226.54 to Firing Range Expenses, 100-4031200-31200-6015; and \$110.00 to Uniforms, 100-4031200-31200-6011. These receipts represent reimbursed costs and miscellaneous receipts.

Additional appropriation in the amount of \$1,138.34 to the following Correction & Detention accounts: \$1,038.34 to Medical & Lab Supplies, 100-4033100-33100-6004; and \$100 to Uniforms, 100-4033100-33100-6011. The former represents medical co-pays received and the latter represents a uniform payment.

Additional appropriation in the amount of \$490.00 to Motor Vehicle Insurance, #5305, various accounts. This covers a payment to VACoRP representing a credit amount received in error.

Additional appropriation in the amount of \$5,000 the following accounts: \$2,500 to Standing Room Only, 100-4072000-72241-3800; and \$2,500 to Attic Productions, 100-4072000-72242-3800. These are funds received from a State Challenge Grant which will be disbursed to these organizations.

Additional appropriation in the amount of \$400 to Library – Books & Subscriptions, 100-4073100-73100-6012. These are donated funds received from Tony Whitwell.

Additional appropriation in the amount of \$3,909 to Clerk of Circuit Court – Maintenance Service Contracts, 100-4021600-21600-3320. These are State funds being used to pay for records management maintenance expenses.

Additional appropriation in the amount of \$5,877 to Community Development – Stormwater Management, 100-4081200-81200-3194. These are funds received that will cover payments to the State for their share of fees collected per agreement.

Approval of Accounts Payable and ratification of the Short Accounts Payable List;

Approval of staff recommendation for a Fire/EMS third-party billing services contract with Emergency Medical Services Management and Consultants for a period of one year with the option of up to five additional one-year renewals, upon review and approval by the County Attorney, and authorized the County Administrator to sign the contract on the County's behalf; and,

Adopted the following resolution ratifying the Director of Emergency Management's lifting of the State of Emergency due to dry weather conditions:

WHEREAS, extremely dry conditions posed a serious fire hazard in Botetourt County; and,

WHEREAS, on November 16, 2016, at 11:34 A. M., the Botetourt County Director of Emergency Management imposed a ban on all open air burning within the County in an attempt to reduce the hazard and to protect the lives and property of the County's citizens; and,

WHEREAS, on December 5, 2016, as a result of subsequent widespread and significant rainfall, and in consultation with and support from Virginia Department of Forestry, the Director of Emergency Management deemed the emergency conditions mitigated and lifted the local ban on open air burning at 2:00 PM;

NOW, THEREFORE, pursuant to the authority of Sections 27-98 and 44-146.21 of the Code of Virginia, and Sections 104 and 307 of the Statewide Fire Prevention Code, it is **RESOLVED** that:

1. On November 16, 2016, at 11:34 AM, conditions in Botetourt County constituted a fire hazard and a local emergency.
2. On December 5, 2016, at 2:00 PM, as a result of subsequent widespread and significant rainfall, and in consultation with and support from Virginia Department of Forestry, the Director of Emergency Management deemed the emergency conditions mitigated and lifted the local ban on open air burning.

3. On December 9, 2016, at 9:00 A. M. after continued rainfall, the Director of Emergency Management lifted the State of Emergency.

4. The actions of the Director of Emergency Management in imposing and subsequently lifting a ban on all open air burning and the State of emergency within the County are **AFFIRMED**.

Consideration was then held on the 2016-2017 Recreation Incentive Fund requests. Mr. Jim Farmer, Director of Parks and Recreation, stated that the purpose of this program is to offer matching funds to non-profit community service groups, individuals, and businesses wishing to make recreation-related capital improvements to County-owned, School-owned, or leased property.

He then gave a PowerPoint presentation reviewing the following project applications: Read Mountain Middle School—new outdoor soccer/football scoreboard; James River High School—pave the access road to the practice field; Colonial Elementary—add basketball court in the area behind the school and remove old playground equipment and replace with new unit; Town of Buchanan—install new walking trail and playground equipment in Town Park; Town of Troutville—restore exterior of the caboose in Town Park; and Greenfield Elementary—install a new ADA-accessible playground.

Mr. Farmer noted that the Bank of Botetourt has agreed to sponsor the full purchase price of a gymnasium scoreboard at Central Academy so this project was not included in the Board's recommended funding listing.

After discussion, Mr. Farmer stated that these requests were reviewed by County staff and the Parks and Recreation Commission, who made the final recommendations for funding to the Board. He noted that these seven recommended projects will total \$109,000 in improvements with only \$35,000 in County funding being used.

After questioning by Mr. Dodson, Mr. Farmer stated that no sponsor has been found for the new Read Mountain Middle School scoreboard.

After questioning by Mr. Williamson, Mr. Farmer stated that the County budgeted \$35,000 for these projects in FY 17.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved the 2017 Recreation Incentive Fund projects as per the attached chart. (Resolution Number 16-12-05)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration of was then held on Library Incentive Fund requests. Mr. Steve Vest, Library Director, stated that this fund was created last year and is similar to the Recreation Incentive Fund. He noted that sponsoring organizations (Friends of the Library) partly fund these library facility-related project requests.

Mr. Vest stated that two requests have been received this year: Blue Ridge Library—replace 14 computer task chairs for the public's use; and Fincastle Library—purchase two computers for the genealogy room. He noted that the chairs will cost a total of \$2,737.53 with the County being requested to pay one-half (\$1,368.76); and the two computers will cost \$2,485.14, with the County's one-half cost being \$1,242.57.

Mr. Vest stated that the Blue Ridge computer chairs were in a used condition when the Library acquired them. He noted that the Fincastle Library's genealogy computers are used by people from all over the country to research their family records. He noted that a computer is needed to utilize the recently donated Viewscan II microfilm reader's abilities to scan, display, and e-mail data and to be able to connect to the internet. He noted that the microfilm reader was donated by the Circuit Court Clerk.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board approved Library Incentive Fund request applications from Friends of the Blue Ridge Library in the total amount of \$2,737.53 for 14 computer task chairs, and from Friends of the Fincastle Library in the total amount of \$2,485.14 for two computers for the genealogy room, with the County to pay one-half of the cost. (Resolution Number 16-12-06)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on approval of a Virginia Business Ready Sites Program Site Characterization Grant Performance Agreement. Mr. Ken McFadyen, Economic Development Director, stated that, in September, his department applied to the Virginia Economic Development Partnership to participate in Phase 1 of this program. He noted that this program assists localities with preparing industrial sites through initial due diligence investigations and, later, in Phase II, with site development (construction) funding through a competitive application process.

He stated that the minimum qualification for a site to be selected include it being at least 250 acres with at least 100 contiguous, developable acres. He noted that the County submitted Botetourt Center at Greenfield for consideration of funding and were notified in November of award of this \$5,000 matching grant. Mr. McFadyen noted that his department's FY 17 budget allocation will be used to fund this grant's matching amount.

He stated that these funds will be used to engage an engineering firm to assess the readiness of a site in Greenfield to meet the program's parameters. He noted that this project has to be completed by February 2017. Mr. McFadyen further noted that approximately 30 sites in Virginia received this grant funding.

After questioning by Mr. Williamson, Mr. McFadyen noted that there will be no limits on what the County can do with the property if these grant funds are accepted.

There being no further discussion, on motion by Mr. Dodson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the Virginia Business Ready Sites Program Site Characterization Grant Performance Agreement for a site in Botetourt Center at Greenfield, and authorized the County Administrator to sign the agreement on the County's behalf. (Resolution Number 16-12-07)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Kevin Hamm, Maintenance Operations Manager with the Virginia Department of Transportation, was then present to speak to the Board.

He then reviewed VDoT's monthly report. Mr. Hamm noted that rehabilitation work on the I-81 bridge across the James River at Buchanan has been shut down for the winter and the replacement of two narrow bridges on Route 220 north of Eagle Rock is proceeding. Mr. Hamm stated that he is happy to announce that the Catawba/Etzler Road bridge project has been completed with only a few wrap-up items remaining.

He stated that the Exit 150 detour is in place and traffic has been diverted onto Gateway Crossing. He noted that traffic seems to be flowing smoothly through the new traffic pattern. He noted that the section of Route 11 in front of the former truck stop property will be closed to through traffic until next summer.

After questioning by Mr. Dodson, Mr. Hamm stated that this project should be completed in early 2018. He noted that there have not been any delays to date on the Exit 150 project.

Mr. Hamm noted that there were two land development projects reviewed by VDoT last month and 9 land use permits issued. He noted that they have shut down their large-scale pavement patching operations for the season; however, a few small projects remain to be completed. Mr. Hamm further noted that a pipe replacement and bank stabilization project is underway on Zimmerman Road; a bank stabilization project is proceeding on Route 460; and VDoT staff is working on preparing all gravel roads for winter. He stated that the center and edge line painting at Botetourt Commons as requested last month by Mr. Dodson was completed earlier today.

After questioning by Mr. Martin, Mr. Hamm stated that the Route 460 bank stabilization project is near the Botetourt/Bedford County line.

Mr. Martin noted that the gravel road tour taken by the Board members on Tuesday was an interesting trip. He noted that "you can see why so much money is being spent to keep up the County's gravel roads."

Mr. Leffel stated that he appreciated the opportunity to speak with Mr. Hamm and Mr. Brian Blevins, VDoT's Area Land Use Engineer, during this gravel road tour. He stated that this tour was worthwhile.

After questioning by Dr. Scothorn regarding a street pavement settling issue in Hunter's Green Subdivision, Mr. Hamm stated that VDoT is waiting on the necessary environmental permits to be issued before this work can begin.

The Board thanked Mr. Hamm for his report.

Mrs. Carol Loope of Loope Lane then spoke to the Board. Mrs. Loope stated that her husband was present at last month's meeting to speak regarding the condition of this road. Mrs. Loope stated that eight generations of her family have lived on this this 0.85 mile roadway. She noted that there are currently 12 families, including five farms, consisting of 41 registered vehicles that use this roadway. She noted that these citizens pay \$23,000 in taxes each year.

Mrs. Loope noted that the road has issues with washed out ditches and there have been occurrences when vehicles have ended up in the ditches. She further noted that school buses, U. S. Mail, trash trucks, UPS/FedEx, and other vehicles use this road and they would like to have the road tarred and graveled and widened.

Mr. Williamson noted that the Board visited this gravel road earlier this week and he agreed with her description of the road's condition. He stated that the Board appreciated Mrs. Loope's attendance at today's meeting.

Consideration was then held on a resolution celebrating the 25th anniversary of Read Mountain Fire and Rescue. Chief Tommy Fuqua stated that over 25 years ago, he; Dean

Paderick, Chief of the Troutville Volunteer Fire Department; John Williamson, Botetourt County Administrator; and Elmer Hodge, Roanoke County Administrator; sat down and discussed the creation of a joint fire and rescue station along Alternate Route 220. He noted that this was one of the good projects that they created during that period of expanded development in the County.

Chief Fuqua then read the resolution that had been drafted commemorating the 25th anniversary of the Read Mountain Fire Station. He noted that a framed copy of this resolution would be presented at the Station's January anniversary celebration.

Mr. Williamson noted that interjurisdictional agreements and projects are never easy and, if the volunteer fire and rescue personnel in both counties had not embraced this project, it would never have happened. He noted that Botetourt County had the land available and Roanoke County had the resources through a recent bond issue to fund this project. Mr. Williamson noted that Troutville also agreed to house one of their fire trucks in this facility.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution celebrating the 25th anniversary of Read Mountain Fire and Rescue.

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 16-12-08

WHEREAS, for the mutual benefit of providing fire and rescue services to the counties of Botetourt and Roanoke, the Read Mountain Fire and Rescue Department was established on May 10, 1990; and,

WHEREAS, Read Mountain Fire and Rescue was initially staffed and equipped using resources and personnel from the neighboring communities of Troutville, Blue Ridge, Vinton, and Hollins; and,

WHEREAS, the Read Mountain Fire and Rescue Department has served the community for over 25 years; and,

WHEREAS, during that time the Department has provided services including advanced life support first response, advanced and basic life support transport services, fire suppression, hazardous materials operations, wildland firefighting, community prevention and public education initiatives; and,

WHEREAS, the citizens and visitors of both Botetourt and Roanoke counties are better protected and served by this unique model of a joint jurisdictional operation, using resources from both communities to achieve the overall mission of providing prompt and professional services to the community to protect life, property, and the environment; and,

WHEREAS, Read Mountain Volunteer Fire and Rescue Department continues to thrive as a volunteer organization with a longstanding history of strong leadership, fiscal responsibility and community engagement; and,

WHEREAS, Botetourt County, its citizens, and visitors are safer because of the forethought and vision of the development of the Read Mountain Fire and Rescue station; and,

WHEREAS, Botetourt County would like to acknowledge the historical significance of the Read Mountain Fire and Rescue Department's 25th year of operations; and,

NOW, THEREFORE, we, the Board of Supervisors of Botetourt County, Virginia, do hereby recognize Read Mountain Volunteer Fire and Rescue Department, Station #12, for all of the service, dedication, and commitment to the citizens and visitors of Botetourt County during the past 25 years; and,

FURTHER, be it recognized that Read Mountain Fire and Rescue Department strives to continue to serve the citizens and visitors of both Botetourt and Roanoke Counties to the best of its abilities using volunteers from throughout the communities it serves.

Consideration was then held on a request for acceptance of a portion of British Woods Drive into the Secondary System of Highways. Mrs. Nicole Pendleton, Planning Manager, stated that a 0.56 mile section of British Woods Drive in Diamondback Subdivision was platted in 1981; however, was not formally accepted into the VDoT Secondary System for maintenance due to language on the plat that stated, "The cost of bringing such Right-of-Way up to such standards shall be the responsibility of the developer of the parcels or the owner of the parcel or both."

It was noted that recent revisions to the State Code allow the Board of Supervisors to remove this plat language upon unanimous request of the subdivision's property owners and advertisement/conduct of a public hearing. She noted that the property owners' consent was obtained and a public hearing was held in October.

It was noted that funds for this road's improvement to Secondary System standards (\$204,473) will be transferred from the County's Secondary Six Year Plan Rural Addition Project account to fund engineering, paving, drainage improvement, etc., costs. It was noted that VDoT cannot fund costs associated with the acquisition of needed additional rights-of-way or utility relocations on this project.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution requesting the acceptance of a 0.56 mile section of British Woods Drive in Diamondback Subdivision, Section 1, into VDoT's Secondary System of Highways.

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 16-12-09

WHEREAS, the street described below currently serves at least 3 families and was established prior to July 1, 1992, at which time it was used by motor vehicles as a public access, and

WHEREAS, the County has determined its subdivision ordinance satisfies subsection B of §33.2-335 Code of Virginia, and is therefore eligible to make qualifying additions to the secondary system of state highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.2-336 Code of Virginia, and

WHEREAS, this Board has identified immediately available funding to make improvements required to qualify the street for addition to the aforesaid secondary system of state highways, based on the Department's cost estimate of \$204,473,

NOW, THEREFORE, BE IT RESOLVED, pursuant to §33.2-335, Code of Virginia, this Board requests the following street be added to the secondary system of state highway maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the street to be clear, unencumbered and unrestricted, which right of way guarantee shall include any necessary easements, required for cuts, fills, and drainage:

Name of Subdivision:	Diamondback, Section 1 Subdivision (Plat Book 10, Page 105)
Name of Street:	British Woods Drive
From:	Existing end of State maintenance
To:	Cul-de-sac
Length:	0.56 miles
Guaranteed Right of Way Width:	50 feet

Source of Funds: Botetourt County Secondary System Construction Program Funds (\$204,473)

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs to relocate existing utilities within the right of way that are discovered during the course of and in conflict with the construction, drawing such funds from resources other than those administered by the Department, and

BE IT FURTHER RESOLVED, this Board agrees to reimburse, within 45-days of receiving an invoice, all costs that the Virginia Department of Transportation incurs in the construction of necessary improvements to the road that are over and above the estimated cost of improvements or to otherwise identify an eligible source of funds administered by the Department to cover such costs, and

BE IT FINALLY RESOLVED, that a certified copy of this resolution and a county check in the amount of \$ 0 be forwarded to the Residency Administrator of the Virginia Department of Transportation.

Regarding Committee Reports, Mr. Williamson noted that the FY 18 budget call letters were sent out in early November. He noted that staff will be working on obtaining and reviewing departmental budget requests in the next few weeks and then drafting a Budget Committee meeting schedule.

Mr. Martin then noted that the Director of Social Services, Penny Hall, is leaving in early January to take a position with the State of Virginia overseeing Social Services offices in 25 area jurisdictions. Mr. Martin noted that Ms. Hall has done an outstanding job since coming to Botetourt County.

There being no discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the Board reappointed Jason Ferguson as the County's representative on the Western Virginia Emergency Medical Services Council's Board of Directors for a three year term that expires on December 31, 2019. (Resolution Number 16-12-10)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called for a 10 minute break.

The Chairman called the meeting back to order at 3:05 P. M.

Mrs. Genevieve Goss, Program Manager with the Valley Conservation Council, then introduced Mr. Chris Wise and Mr. Lee Merrill to the Board. Mrs. Goss noted that VCC partnered with the Rockbridge Area Conservation Council (RACC) in 2010 to request a letter of endorsement from the County regarding the Buffalo Creek-Purgatory Mountain Special Project Area wildlife corridor through the northern portion of the County.

Mr. Merrill noted that he is a RACC Board member and is present today to request a letter of support from the Board for inclusion of the Arcadia Initiative area consisting of northern Botetourt County and southern Rockbridge County in the Virginia Outdoors Plan (VOP). He noted that Alleghany and Amherst Counties may also participate in supporting this project.

Mr. Merrill stated that they believe that inclusion of the Arcadia Initiative area in the VOP will allow funding and economic opportunities and recognition for this outdoor attraction recreational area. He noted that nomination of this project to the VOP's 2018 official listing of worthy

projects is currently being worked on. Mr. Merrill noted that the VOP is updated every 5 – 10 years and once an area is included in the VOP there are funding opportunities and support available from various State agencies as well as land and water conservation planning funds from the federal government.

Mr. Merrill noted that the RACC has been working on the Arcadia Initiative concept for approximately 2 years and the VCC recognized the importance of this area earlier this year. He noted that most of the proposed designation area is located in Rockbridge County but is proposed to include northern Botetourt including the area along Route 43 to the Peaks of Otter and along the James River north to Route 220 to the Alleghany County line.

Mr. Merrill stated that they are seeking this status in the VOP and researching opportunities for planning grants in order to build awareness of its economic and ecologic potential in order to conserve this unique natural area. He noted that this area is the last, least-developed section in the Shenandoah Valley of Virginia, is a vital wildlife migration corridor, and is a critically unique landscape feature in southwestern Virginia.

After discussion, Mr. Merrill stated that this designation will offer increased recreational and agricultural tourism, funding opportunities for water quality improvements by area landowners and farmers, environmental benefits for migratory flow through this corridor, and maintain intact eco-systems.

Mr. Merrill stated that a copy of the letter of support from Rockbridge County for this project area was included in the Board's information packet. He noted that the work to complete the application for inclusion of this area in the VOP will take several years.

Mr. Williamson stated that the proposed Rocky Forge wind farm in northern Botetourt County is within the existing boundary of the Buffalo Creek watershed and questioned if this project would be impacted by the inclusion of the Arcadia Initiative area in the VOP.

Mr. Merrill stated that the Arcadia Initiative area is not an official designation and has no impact on the proposed wind farm project.

After questioning by Mr. Williamson, Mr. Merrill stated that the RACC will also be requesting a similar letter of support for this designated area from Bedford County. He further noted that they have talked with the Virginia Department of Transportation about planning for better wildlife crossings (land bridge) along the I-81 corridor in this area.

Mr. Leffel stated that his property, which is currently in a conservation easement, is located within the proposed designation area and questioned what restrictions the Arcadia Initiative would place on him.

Mr. Merrill stated that this designation would have no authority on any property owner regarding conservation easements. He noted that the RACC is not proposing to the Virginia Outdoors Foundation that this boundary line be extended in this area. Mr. Merrill noted that most of the land in the proposed Initiative area is owned by the National Forest Service. He stated that there would be "no change after this nomination" than what the area consists of today.

Mr. Leffel stated that the RACC and VCC should provide additional public relations announcements on this proposal to properly explain it to the area's property owners.

Mr. Chris Wise stated that a lot of the "zone of attention" is to have the Virginia Department of Conservation and Recreation (DCR), the Virginia Department of Environmental Quality (DEQ), and other State agencies look at this area as a project in order to "put money" into the area to make improvements to help improve water quality, reduce erosion, etc. He noted that

there are several State and federal agencies that own land in this area and this designation will help them create partnerships to share their plans, research, connect trails, etc., for this area.

Mr. Dodson noted that there is a listing of potential partners included in the Board's information on this request and questioned if the RACC/VCC had reached out to the private sector.

Mr. Merrill stated that they have contacted Burlington/Mohawk Industries in Glasgow about participating in this project. He noted that VOF nomination status is a "holding card" for this area.

Mr. Dodson noted that there are three new companies that will soon be operational in the County that may want to be a partner in this group.

Mr. Merrill noted that they are trying to find a "center point" for this project and are working on how all of these disparate groups can come together. Mr. Merrill noted that this area is the "James River water gap" through the Blue Ridge and Alleghany Mountains; it is a special place and they want it to be "the" destination for nature-minded visitors to the County.

After questioning by Mr. Williamson regarding the relationship between the VOF and the George Washington/Jefferson National Forest planning process, Mr. Merrill stated there is probably no relationship but their proposal is an amalgam of all projects in this area which makes it very attractive for funding opportunities.

Mr. Williamson stated that he would be interested in talking to them about interfacing this proposal into the National Forest Service's master plan for the area's national forests.

Mr. Merrill encouraged the Board to take action or write a letter of support for this project.

Mr. Williamson then stated that, based on the assertion by Mr. Merrill that this proposed initiative has no impact on the proposed Rocky Forge wind farm, he would make a motion to endorse the Arcadia Initiative conservation proposal for northern Botetourt County.

Mr. Leffel stated that the only concern he has is how quickly the Board is taking action on this request as the public has some concerns about this issue. Mr. Leffel stated that he trusts Mr. Merrill's statements that this proposal would not cause an impediment to the State's approval of the proposed wind farm's application.

Mr. Merrill stated that he "cannot control other people's use of language" but there is no way that this designation would affect, in any official capacity, the prospects of the proposed wind farm.

Dr. Scothorn questioned the County Attorney about the legality of the Board's support of this conservation area's inclusion in the VOP.

Mr. Lockaby stated that the Board is better at gauging public perception regarding this matter than he is but legally he does not understand enough about the impact of this designation on the County or the wind farm to give an opinion. Mr. Lockaby further stated that an issue of concern is the conservation easements, which are perpetual, and "we do not know what people will want to do with this property in 200 years," and the County's ability to manage conservation easements through the Comprehensive Plan.

Dr. Scothorn stated that he believes that the Board should consider this issue further.

Mr. Lockaby stated that he would like to have the opportunity to look more closely at this proposal and he does not know if it will be possible for him, the County's Planning Manager, and Deputy County Administrator to meet with Mr. Merrill and Mr. Wise to discuss the future impacts of this designation in a timely manner.

Mr. Williamson then modified his earlier motion to state that the Board is generally in favor of the broad concept of the Arcadia Initiative proposal but will table any formal action on this issue until their next regular meeting to allow staff an opportunity to meet with Mr. Merrill and Mr. Wise to review any further information on the project. Mr. Leffel seconded this motion which was carried by the following recorded vote: (Resolution Number 16-12-11)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Goss then stated that, in terms of conservation easements, the VOF's Buffalo Creek-Purgatory Mountain Special Projects Area was approved in 2012. She noted that today's requested designation does not address conservation easements, it is more of an opportunity.

Mr. Merrill stated that DCR could provide the County with information on the legal implications of a project area being included in the VOP.

After questioning by Mr. Williamson, Mr. Wise stated that the VOP will be finalized by the fall of 2018. He noted that the exact project area location could be "tightened up" in the final designation.

The Board thanked Mr. Merrill, Mr. Wise, and Mrs. Goss for their presentation.

The Chairman then continued the meeting at 3:35 P. M. until 6:00 P. M.

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

A public hearing was then held on a request in the Valley Magisterial District from Michael W. Beahm, et al; Frances L. Sanderson, et al c/o Michael W. and John E. Beahm, Executors (Hungate-Fields LLC, contractual purchasers), for a Commission Permit and a Special Exception Permit, with possible conditions, for a private road, and to rezone 15.8 acres+/- from an Industrial (M-1) Use District to a Residential (R-3) Use District, with possible proffered conditions, for the construction of up to 55 zero-lot line dwellings, located on Sanderson Drive (State Route 605) approximately 0.4 miles north of the intersection of Sanderson Drive and Shadwell Drive (State Route 601), and is identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 1A and 4.

It was noted that the Planning Commission had recommended conditional approval of these requests.

Mrs. Nicole Pendleton, Planning Manager, stated that the applicants are requesting to construct up to 55 zero-lot line dwellings on these two parcels which total 15.8 acres. She noted that this property is located on Sanderson Drive adjacent to Altamira Subdivision, which was developed by one of the contractual purchasers involved in tonight's public hearing. She stated that the proposal is to create a 36 lot subdivision to be accessed by one private entrance road which will serve two future parcels and an additional perpendicular road which will extend to each property line and serve the remaining 34 proposed lots.

She noted that the Planning Commission recommended approval of the following condition on the rezoning portion of this request: "This property will be developed for the proposed use of dwelling, zero lot line, up to 4.0 dwellings per net acres, to the exclusion of all other uses permitted in the Residential (R-3) Use District."

She further noted that the Commission had recommended the following conditions on the SEP portion of this application: "The project will be built in substantial conformance with the concept plan titled, "Concept Plan for Sanderson Ridge" prepared for Hungate-Fields LLC,

prepared by Lumsden Associates, P.C. and dated September 20, 2016; Prior to the issuance of any certificate of occupancy, the owner or developer shall submit as-built drawings, prepared and stamped by a licensed engineer in the state of Virginia, to certify the roads have been built in accordance with the road construction details shown on the concept plan; and Prior to final subdivision plat approval, or simultaneously with the recordation of the plat, the homeowner's association shall be established to manage and maintain all open space areas, private streets, and stormwater management areas within the development."

Mrs. Pendleton stated that the applicant has indicated that this request will help to reduce the pressure to construct housing in the more rural areas of the County. She noted that this project is located adjacent to the Altamira townhomes development and is served by public water and sewer.

After questioning by Mr. Williamson regarding whether the presence or construction of a public road would essentially subdivide a parcel, Mr. Lockaby stated that based on case law it does not.

After questioning by Mr. Dodson, Mrs. Pendleton stated that the development's proposed 40' private roadways will be paved consistent with VDOT paving standards.

After questioning by Dr. Scothorn, Mrs. Pendleton stated that she could not answer whether, if the road were constructed as proposed, it could be accepted into the public road system in the future.

Upon questioning by Mr. Williamson, Mrs. Pendleton stated that this development will be required to comply with the more-stringent stormwater management regulations adopted by the County in 2014.

Mrs. Pendleton further noted that Altamira Subdivision also has private roads and was previously zoned as an Industrial M-1 Use District.

Mr. Peter Fields, with Hungate-Fields, LLC, then reviewed this application. He noted that the spacing between the proposed residential dwellings is between 25' – 28'. Mr. Fields stated that a traffic count along Sanderson Drive was conducted and the peak vehicular traffic is at 10AM and 3PM Monday through Friday.

After questioning by Mr. Williamson, Mr. Fields stated that there would be no issue with snow removal from these private streets and a Homeowners Association (HOA) capital account will be created to fund long-term maintenance projects in the development.

After questioning by Dr. Scothorn, Mr. Fields stated that, once the last lot in the development has been sold, he will "step away" from management of the HOA and turn the Association's responsibilities over to the property owners. Dr. Scothorn praised the development of private roads and the arrangements for their future upkeep in this proposal.

After further questioning by Dr. Scothorn, Mr. Fields stated that the exterior styling of these units may be changed from what was originally proposed.

Dr. Scothorn commented about the current traffic pattern on Sanderson Drive and noted that most of these vehicles are going to/coming from Highland Manor Subdivision. Dr. Scothorn stated that he would like to see a turn lane installed into this proposed development off of Sanderson Drive.

Mr. Fields stated that a private traffic study has indicated that peak traffic hours result in less than 10 cars which he did not feel justified the cost to install a turn lane.

After questioning by Mr. Williamson, Mr. Mike Beahm, property owner, stated that he had no additional comments about this proposed development.

Mr. Frank Stott of Altamira Drive stated that he is in favor of this proposal and in support of Mr. Fields' work in designing this development.

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

Dr. Scothorn stated that he would like to talk to Mr. Brian Blevins, VDOT's Land Use Engineer, about a turn lane situation along Sanderson Drive. Dr. Scothorn noted that Mr. Fields' previous projects in the County have shown quality building work that is well planned and thought out.

After questioning by Mr. Williamson, Mrs. Pendleton then reviewed the conditions recommended by the Planning Commission on the Special Exceptions Permit portion of this request.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved a request in the Valley Magisterial District from Michael W. Beahm, et al; Frances L. Sanderson, et al c/o Michael W. and John E. Beahm, Executors (Hungate-Fields LLC, contractual purchasers), for a Commission Permit for a private road for the construction of up to 55 zero-lot line dwellings, located on Sanderson Drive (State Route 605) approximately 0.4 miles north of the intersection of Sanderson Drive and Shadwell Drive (State Route 601), and is identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 1A and 4. (Resolution Number 16-12-12)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following condition. 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 16-12-13)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

**MICHAEL W. BEAHM, ET AL; FRANCES L. SANDERSON, ET AL
C/O MICHAEL W. AND JOHN E. BEAHM, EXECUTORS
(Hungate-Fields LLC, contractual purchasers)**

In the Valley Magisterial District to rezone 15.8 acres+/- from an Industrial (M-1) Use District to a Residential (R-3) Use District for the construction of up to 55 zero-lot line dwellings, located on Sanderson Drive (State Route 605) approximately 0.4 miles north of the intersection of Sanderson Drive and Shadwell Drive (State Route 601), and is identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 1A and 4.

1. This property will be developed for the proposed use of dwelling, zero lot line, up to 4.0 dwellings per net acres, to the exclusion of all other uses permitted in the Residential (R-3) Use District.

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board approved a request in the Valley Magisterial District from Michael W.

Beahm, et al; Frances L. Sanderson, et al c/o Michael W. and John E. Beahm, Executors (Hungate-Fields LLC, contractual purchasers), for a Special Exception Permit for a private road for the construction of up to 55 zero-lot line dwellings, located on Sanderson Drive (State Route 605) approximately 0.4 miles north of the intersection of Sanderson Drive and Shadwell Drive (State Route 601), and is identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcels 1A and 4, with the following conditions: (Resolution Number 16-12-14)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

1. The project will be built in substantial conformance with the concept plan titled, "Concept Plan for Sanderson Ridge" prepared for Hungate-Fields LLC, prepared by Lumsden Associates, P.C. and dated September 20, 2016.
2. Prior to the issuance of any certificate of occupancy, the owner or developer shall submit as-built drawings, prepared and stamped by a licensed engineer in the state of Virginia, to certify the roads have been built in accordance with the road construction details shown on the concept plan.
3. Prior to final subdivision plat approval, or simultaneously with the recordation of the plat, the homeowner's association shall be established to manage and maintain all open space areas, private streets, and stormwater management areas within the development.

After questioning by Dr. Scothorn, Mr. Fields stated that he anticipates breaking ground on this project in the spring of 2017.

A public hearing was then held on proposed text amendments to Chapter 25. Zoning of the Botetourt County Code to permit residential units above business uses in certain zoning districts.

It was noted that the Planning Commission had recommended approval of these amendments.

Mr. Drew Pearson, County Planner, stated that in October Mr. Timothy Lucas had requested that these amendments be drafted as he is proposing to construct a new pharmacy with residential units on the second floor at the entrance to the Cottages of SteepleChase on Read Mountain Road. Mr. Pearson noted that, once receiving approval from the Board to proceed with this request, staff reviewed this proposal and drafted the amendments as included in the Board's information packets. He noted that the Planning Commission had recommended approval of these amendments at their December 12 public hearing.

Mr. Pearson stated that these amendments include a new definition for "Dwelling, Mixed Use" which is a "a structure that contains one or more principal residential dwelling units that are located above one or more principal non-residential uses that are either permitted as a use by right or approved as a special exception in the underlying zoning district." He noted that this use is proposed in the following zoning districts: Planned Unit Development (PUD), Traditional Neighborhood District (TND), Business (B-1 and B-2), and Shopping Center (SC).

Mr. Pearson noted that there is currently some allowances in the PUD and TND ordinances for mixed use dwellings and; therefore, staff is recommending these uses be allowed by right in the PUD and TND districts, and through a Special Exceptions Permit (SEP) application in the B-1, B-2, and SC districts.

Mr. Pearson noted that the agenda item on this request includes all changes proposed to the Zoning Ordinance regarding mixed use dwellings. He stated that these residential uses would only be permitted on the second floor or higher in the proposed districts. He noted that proposals submitted under these regulations would have to be in compliance with all pertinent building codes and require the submittal of architectural/engineering plans for review by the Development Services staff.

Mr. Pearson stated that the County does not want to discourage this type of development or redevelopment of existing buildings and these proposed amendments do not change the underlying non-residential uses of these structures.

After questioning by Mr. Williamson, Mr. Pearson stated that, for example, a SEP application could be submitted for both the non-residential and the residential use of a structure in a B-1 Use District.

Mr. Lockaby concurred with Mr. Pearson's interpretation.

After discussion, Mr. Pearson noted that required parking spaces in mixed use dwellings would be calculated by the total square footage of each use together.

After questioning by Mr. Williamson, Mr. Pearson stated that the proposed Zoning Ordinance amendments would allow mixed use dwellings by right in the PUD and TND districts and by SEP in the B-1, B-2, and SC districts.

After questioning by Mr. Dodson, Mr. Pearson stated that the amendments are worded to ensure that the second floor residential area does not reduce the land available for commercial and/or other uses.

Mr. Pearson further stated that the proposed amendments do not affect any building height requirements included in the impacted zoning districts' provisions.

After questioning by Dr. Scothorn, Mr. Pearson stated that all appropriate building codes, including fire safety requirements, must be followed for the construction of residential units on the second floor of structures.

After questioning by Mr. Leffel, Mr. Tim Lucas stated that he had no comments regarding these proposed amendments.

Mr. Robert Frydrych of Country Club Road stated that his primary concerns about these proposed mixed use dwelling amendments include fire safety and fire escape issues, hydrant pressure, and growth generated by these mixed commercial/residential uses.

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

Mr. Martin noted that he attended the Planning Commission meeting and many of the same concerns and comments were made at that meeting as were discussed today. Mr. Martin noted that he is in favor of these amendments being approved.

Mr. Williamson stated that he believes all of the Board's and citizens' concerns have been addressed with these proposed amendments.

Dr. Scothorn stated that these amendments will "lead us in the right direction for infill" residential development for use by college students and/or workers at the new companies locating in the County in the future. Dr. Scothorn stated that "we would have done this earlier."

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the attached amendments to Chapter 25. Zoning of the Botetourt County Code to create a new land use category ("Dwelling, mixed use") to allow residential dwelling units above nonresidential uses located in the PUD, TND, B-1, B-2, and SC zoning districts. (Resolution Number 16-12-15)

AYES: Mr. Williamson, Mr. Dodson, Mr. Martin, Mr. Leffel, Dr. Scothorn

NAYS: None

ABSENT: None

ABSTAINING: None

Mr. Williamson then thanked the staff for all of their work during the past year.

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