

BOTETOURT COUNTY BOARD OF SUPERVISORS

MINUTES OF MAY 23, 2023

The regular meeting of the Botetourt County Board of Supervisors was held on May 23, 2023, at the Botetourt County Administration Center, 57 S. Center Drive, Daleville, Virginia, beginning at 12:30 p.m.

PRESENT: Dr. Donald M. Scothorn, Chair
Mrs. Amy S. White, Vice Chair
Dr. Richard G. Bailey
Mr. Stephen P. Clinton
Mr. Billy W. Martin, Sr.

OTHERS PRESENT: Mr. Mike Lockaby, County Attorney (12:30 p.m.)
Mr. Jeremy Carroll, Attorney (6:00 p.m.)
Mr. Gary Larrowe, County Administrator
Mr. David Moorman, Deputy County Administrator
Mr. Jonathan Lanford, Assistant County Administrator
Mrs. Lorie Bess, Deputy Clerk to the Board

Mrs. White called the meeting to order at 12:35 p.m. (Dr. Scothorn arrived at 12:40 p.m.)

Mrs. White announced the following topics were removed from Closed Session:

- Section 2.2-3711 (A)(1): Personnel Matters - Actual and potential appointments, assignments, resignations, terminations, and salaries.
- Section 2.2-3711 (A)(3): Discuss the acquisition and disposition of real property for purposes of economic development, in the Amsterdam (including Greenfield), Blue Ridge, and Buchanan districts where discussion in an open meeting would adversely affect the County's bargaining position or negotiating strategy.
- Section 2.2-3711 (A)(8): Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice regarding the Roanoke Valley Broadband Authority and housing discussions.

Dr. Scothorn arrived and announced the following additional topics would be discussed in Closed Session:

Under Section 2.2-3711 (A)(3) - The Blue Ridge and Buchanan Districts would also be discussed.

Section 2.2-3711(A)(8) for the purpose of Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel related to library collection development.

On motion by Dr. Scothorn, seconded by Mr. Martin, the Board went into Closed Session pursuant to the Code of Virginia, 1950, as amended, to discuss the following.

- Section 2.2-3711 (A)(5): Discuss prospective businesses or industries or the expansion of existing businesses or industries, in the Amsterdam (including Greenfield), Blue Ridge, Buchanan, and Fincastle districts where no previous announcement has been made of the businesses' or industries' interest in locating or expanding facilities in the community.

AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White
RESOLUTION #23-05-06

Dr. Scothorn called the meeting back to order at 2:00 p.m.

On motion by Dr. Scothorn, seconded by Mrs. White, that the Board return to regular session from Closed Session and adopted the following resolution by roll-call vote.

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.

AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White
RESOLUTION #23-05-07

Attendees participated in the recitation of the Pledge of Allegiance and a moment of silence.

CITIZEN COMMENT PERIOD

Beverly Cole – 3324 Fringer Trail

“Good afternoon, my name is Beverly Cole and I live on Fringer Trail in the house my great grandfather built in the late 1800’s. I am here today to remind you of the details surrounding Fringer Trail and request that you put it at the top of the list for surface treatment. Fringer Trail is not the same road it was in the 1800’s, 1900’s or even 2000’s. There have been a lot of changes seen in just the last 10-20 years with more residents and a HUGE increase in daily traffic which includes logging trucks, commercial vehicles, school buses, large trucks and everyday cars, trucks, vans, and SUV’s along with motorcycles and yes, even bicycles. If you ask the workers at VDOT they will also tell you that the materials used today yield more dust than ever which means residents living close to the road cannot open windows in their house or vehicles. In 2020 the residents submitted a petition to Ray Sloan outlining our concerns and request for surface treatment of our road. In April 2021, I attended the Board of Supervisors meeting and spoke detailing our concerns and Mrs. White also outlined the details spanning many years when promises were made but no action was taken and Fringer Trail was not even put on the list for surface treatment. It was finally added to the list but only because of Mrs. White’s assistance and attention to the details. Back Creek Lane is on the list and appears to be scheduled for surface treatment very soon. It is a shorter road with a smaller traffic count but is located very close to Fringer Trail. It makes sense that it would be cost effective to surface treat both roads at the same time. So, I, along with the other residents of Fringer Trail, request that you take action to finally get this taken care of. Thank you for your time.”

Alice Duehl, 288 Longfield Road

Ms. Duehl stated she has lived in Botetourt County for 45 years and she was speaking in support of the libraries. She stated an online petition was created on May 4 to gather support against the removal of certain library books. She asked anyone in attendance who supported

the public libraries to please stand and be recognized. She read the petition and reported 530 people had signed it. She stated if a few citizens succeed in removing a few books, our libraries have been sabotaged. She stated we must all stand firm in supporting our libraries. She provided to each Board member copies of comments and signatures from citizens who have endorsed the petition.

Vickie Graham, 2193 Old Rail Road

"In regards to the proposed Craig Botetourt Scenic Trail. There is a three-mile section of the old railroad bed that goes out of Oriskany towards New Castle. This road runs parallel to Rout 615/Craig Creek Road, but higher. This is fortunate when 615 is flooded going into and out of Oriskany. In such cases, what the locals call "The High Water Road" becomes an emergency road. Now the State wants to turn this road into a trail. How that road is handled is of major concern to the people in Oriskany. It affects more people than one might expect, 100 is no small number when you are talking about a lifesaving issue. The population of Oriskany and the surrounding area is composed of a few young children and teenagers as well as some people of working age. But probably, the majority of the population is over 60 and retired. As well as the elderly, there are those with disabilities. You will find some with walking problems, dementia, or heart issues. There is also the woman and her adult son who live across the road from me. Her son has had a rare, degenerative brain disease since he was a teenager. He was using a walker when he came to live with his mother a couple of years ago. Since then, she has taken him for a walk almost every day. He now uses only a cane but there is always the fear that he will fall. I would dare say that if she wasn't so persistent in giving him the best quality of life she can, he would be in a wheelchair. Right not this mom can hear a vehicle coming from a distance and safely maneuver her son off to the side of the road. But this road we live on is Rout 817/Old Rail Road. It is five miles of a narrow, dust laden, gravel road with steep drop offs, rock bluffs, and often no shoulder. It is proposed that this road be an actual part of the proposed trail itself. Add more hikers, equestrians, and bicycles on the road, and the chances of her son needing emergency assistance becomes much greater. Is he supposed to just stay in the house if the trail goes through? The "High Water Road", how is it to be treated? There is nothing set yet, but there have been ideas thrown around. Let me ask you. Do you expect a parent with a child that has a broken arm to find the person who has the key to the locked gate? Is the 84-year-old woman supposed to get out on a slippery, wet road and maneuver putting up the gate arm? Is the man coming home from work in the dark only to find the road blocked by a fallen tree supposed to backtrack and go where to get home? And be aware, there is no cell service in Oriskany. Route 615 might not be flooded all that often out of 365 days a year, but it does happen. Trees do fall across 615. Accidents do happen to block the road. Emergencies do happen during the times that 615 is blocked. Ask the woman who had to travel the emergency road in the rain when her husband was having a heart attack. Let me tell you the statement we have heard so often, "The State owns the road, and they can do with it what they want". True enough. But the last I knew, Oriskany was a part of the State. Do the people of Oriskany matter to the State? That is the question."

Lindsey Hotchkiss, 1503 Layman Town Road

Ms. Hotchkiss stated she is a mother of two children. She expressed concern that some library books contain pornographic images presented in a cartoon manner. She stated premature sexual exposure can have detrimental effects on small children and places them at an increased risk for sexual behavior problems. She stated this material can distort a child's perception of sexual behavior, leading to difficulties in their personal relationships and even emotional and behavioral issues. She stated the public library is a treasured institution and her aim is not to limit freedom of expression, but to ensure information is appropriate. She asked

everyone to imagine the world we want to shape for our children and for us to strive to make our libraries a cornerstone.

Gary Woody, 20 Broad Street, Apt. 103

Mr. Woody spoke in opposition to several books that are in the public libraries and expressed his concern that they are not suitable for children.

Rhonda Wood, 2246 Shavers Farm Road

Ms. Wood spoke in opposition to some of the books that are in the public libraries. She stated she had grown up in Botetourt County and was appalled that we would allow this material in our public libraries. She emphasized it is not about taking away anyone's right to read, but rather it is about protecting our children. She stated she is an open-minded person but one book in particular talks about making a baby but it doesn't specify a man and woman is needed to create a baby. She stated this is confusing to young people. She thanked the Board for their time.

Jim Kern, 232 Malcom Drive

"My name is Jim Kern. My wife and I live on Craigs Creek approximately 2.5 miles upstream from Eagle Rock. I am here today to represent the silent majority of individuals who are strongly in favor of the Craig Botetourt Scenic Trail. Too often when there is a proposal for project that is clearly beneficial to the larger community, some people, me included, tend to become complacent and assume that just because a project makes sense, and will clearly benefit the community, it will get done. As we saw 20 years ago when this trail was proposed, that was not the outcome and we have seen both the New Castle and Eagle Rock communities continue their slow but steady decline. My end the county continues to see the elderly becoming a larger and larger percentage of the population and a lack of young families moving in, which I fear will someday threaten the viability of the Eagle Rock Elementary School, at which point no families with young children will want to live up here. In all my conversations with friends in Roanoke County and the greater Roanoke Valley, the vast majority of those individuals are enthusiastic and excited about the opportunity for a recreational trail in Botetourt County. I have two pages of bullet points on why these types of trails make sense, but these are somewhat generic. I lived a block away from the Roanoke River for 41 years and was amazed at how my neighborhood embraced the greenway when it finally made it to us. The health benefits for the community are undeniable. The local families will use this trail. But importantly, so will individuals and families from throughout the region, and the people that use these types of resources are the exact kind of visitors that we want and need. We have an opportunity, which apparently only comes along once a generation, to breathe a little bit of life back into the northern portion of Botetourt County and perhaps provide a little new life and energy to the community of Eagle Rock. I am a big fan of that idea."

Donna Vaughan, 396 Bessemer Lane

Ms. Vaughan stated she was speaking in support of public libraries and library employees. She stated parents should be in charge of what their child reads, and Botetourt County libraries have a policy in place that states no child under 13 can be in the library without an adult. She stated parents should be more concerned about what their child sees on the internet, television, clothing, and in shopping malls. She stated we live in a Country with diverse religious views, and it is a person's own responsibility to educate themselves to better understand what they do not know. She stated a public library is for everyone and your beliefs are not questioned when you enter a public library. She stated having access to books makes us better educated so why are we discussing banning books and attacking our own system?

George Charles Ruhl, 3115 Lees Gap Road

Mr. Ruhl offered some statistics from a CDC survey detailing the percentages of high school students who identify as LGBTQ, which averaged out to a 136% increase in the last four years. He concluded this way of thinking is being created because this is not the natural way. He stated materials are served to normalize and encourage sexual behaviors. He stated he is aware the Board has arranged for a library representative to speak at the June meeting. He stated he had already asked her if he wrote a book about how to commit suicide could he put that book in the public library. He reported her response to him was if it were published by a reputable company and received a lot of positive reviews, then yes.

Marty Jenkins, 11454 Craig Creek Road

"I looked up Oriskany, Virginia, and this is what Wikipedia told me. 'Oriskany is an unincorporated community in Botetourt County, Virginia, United States. This community features a small post office, a church and what is known as "Oriskany Square", which is one square block that encompasses the center of the village. King Memorial Community Church, built in 1904, is the architectural and social center of the community. Oriskany is located in a valley of the Blue Ridge Mountains, and nearby is canoe access to Craig Creek. (this information will be addressed in part two).' You are probably asking yourselves just how important can one square block be, right? Well, if you live here in the Daleville area, probably not very important at all. After all, what can you do in one square block. The one square block called "Oriskany Square" is the entire life blood of this community. Within that square stands our only church. A place where our community can come on Sunday morning to worship. A place where we come to grieve and bid our loved ones a final farewell. A place where we come together to celebrate the marriage of young couples. Also within that one square block is our community pavilion. Our only gathering place where friends and neighbors can come together for picnics, meetings, lunch after church, and special events. On May 13, 2023, we were able to have our first gathering since the pandemic. It was a very special day with a speaker telling us about Indian artifacts that can be found right in our back door. After the presentation we enjoyed hamburgers and hot dogs and many covered dishes. Everyone expressed just how wonderful it was to be able to come together after so long apart. There was hope for the future and more gatherings to come. Next, we have a tiny Post Office, zip code 24130, which is 10'x16'. (Full disclaimer, I own it.). This is not the smallest Post Office in the United States, but with only 160 square feet it is probably has the smallest zip code in area in the United States. The only place this zip code exists is within these 160 square feet. The post office is important to the people of this area because internet isn't available to most without expensive satellite connections. Paying bills online is difficult because of internet service and this is largely an older generation community that didn't grow up using computers. Without this post office, we would have to travel 13 to 16 miles to mail a package or buy a money order. That is 26 to 32 miles round trip. That one square block also contains three homes. We now know for sure we live in Botetourt County because Wikipedia has told us so, a fact that is mostly ignored except when we have something you now want. An old railroad bed, parts of which are not abandoned but is State Route 817. That was the decision of the State which now wishes to change their minds and make it a trail. Seems like the State can change their decisions to fit their own agenda or is it to fit the agenda of your special interest lobbyist with deep pockets? If you want what we have, then buy a piece of property and pay your County taxes just like we have done!! Why should we give away for free what we have worked years to achieve?? I have told you a lot today, but there is much more to tell you about that one square block called "Oriskany Square". Stay tuned next month for part two of this mini-series."

Wesley Belcher, 7218 Roanoke Road

Mr. Belcher stated he was speaking to protect the children. He stated certain materials need to be removed from our libraries and it is our duty as adults to protect our minors. He stated this is not about information, inclusion, or education, it is about grooming children, and it must stop. He stated many people were in attendance agreed with him and he encouraged the Board to address this issue by having these books removed immediately or very soon.

Lucy Ruhl, 3115 Lee Gap Road

Ms. Ruhl read a letter she submitted to a local newspaper but expressed her disappointment that it was not published, stating she felt her letter was “censored”. She discussed one of the books at the public library has a chapter on pregnancy but shows a pregnant man. She stated this book is only four feet away from the Dr. Seuss children’s section. She stated some books have illustrations of naked people and these books promote an agenda to young children and violates their innocence. She stated she has fond memories in the libraries, but we need to keep our libraries wholesome for the children.

The following comments were received via the Citizens Comment form and/or email:

Diana Ryder, 135 13th Street

“I do not want other people deciding what I should read. We should be informed of all views you find in books. It makes you think about things you would never have wondered about. It makes for a better world if you can understand why we are different. That is a great thing. Do not allow Botetourt County to become Florida!”

Marlene Preston, 175 Smithfield Way

“Like so many other people, I’m doing all I can to support the Botetourt County Libraries. You may have read my letter to the editor in the Fincastle Herald (May 17, 2023), and I wondered if you also saw it on the Botetourt Bee Facebook page--with its primarily local audience. Eighty-four people “liked” or “loved” it! Along with the hundreds of people who signed Steve Vest’s Change.org petition, that’s a lot of people who are expressing support for the library! (You’ll receive hard copies at the BOS meeting.) These people who signed and/or commented remind us that every citizen has a right to choose from a wide range of reading materials. The Botetourt Library’s website lists objectives that refer to access for all, a neutral environment, a variety of viewpoints, and an inclusive community. Please help us to continue meeting those objectives. Thank you.”

Ann Davis, 342 McIntosh Road

“I am completely against censorship in any form.”

Jason Williams, 1899 Trinity Road

“I would like to voice my enthusiastic support for this project (Craig Botetourt Scenic Trail) and my hope that the Board and Administration continues to support this important project for our region.”

Genevieve Goss, 932 Lee Lane

“As a Botetourt resident for almost 30 years, I believe that the northern part of the county needs the economic boost that a public trail would provide. Having ridden/walked on similar trails in Virginia and other states, including the very popular C&O Towpath in Maryland, I have found that the trails are not crowded, the people who use them love nature and respect the trail boundaries, and that there isn’t a reason to fear their impact. In fact, I know people who live near similar trails, and they report the same opinions. They add that the trail has improved their

personal life, in terms of fitness access and access to the small businesses that have opened in response to the trail, as well as increasing their property value!"

Alice Duehl, 288 Longfield Road

"Once again, I am writing in support of our public libraries and against any efforts to remove books by groups who find some books offensive. A public library must remain the one place where the right to choose reading materials remains a personal choice. No one is forced to read a thing they don't want to read and likewise no one should be prevented from reading what they wish to read. The librarians do an excellent job of choosing books that reflect the community in which we all live. As members of the Botetourt Board of supervisors, your obligation to the Botetourt Community is to foster growth, economic opportunity and make this a desirable place to live, learn and work. I have complete faith in your judgement and trust you to make the decisions which will accomplish those goals. Thank you in advance."

Dr. Scothorn announced the Board would return to the regular agenda items and resume the Citizen Comment Period later.

ECONOMIC DEVELOPMENT ACTION ITEM, INCLUDING CONSIDERATION RESOLUTION AUTHORIZING TRANSFER OF CERTAIN PROPERTY TO THE ECONOMIC DEVELOPMENT AUTHORITY OF BOTETOURT COUNTY, VIRGINIA

Ken McFadyen, Director of Economic Development, announced to the community that at 2:00 p.m. earlier that day Governor Youngkin made an announcement that Altec Industries would expand its operations at Greenfield. This expansion marks the 9th expansion for Altec and would bring 150 jobs, requiring a physical expansion of the facility. He explained Altec had requested the County to sell this property to the company (approximately 7.9 acres) so that they may proceed with the expansion.

MOTION: That the Board approve the transfer of said property to Altec Industries, for their expansion project.

MOTION: Mr. Clinton

SECOND: Mrs. White

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

RESOLUTION #23-05-08

CONSENT AGENDA

Dr. Scothorn announced the Roanoke Valley Regional Animal Shelter Agreement was removed from the consent agenda.

a. Minutes of April 25, 2023 meeting

MOTION: That the Board approve the April 25, 2023 Minutes, as presented.

MOTION: Mr. Martin

SECOND: Dr. Bailey

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

RESOLUTION #23-05-09

Dr. Scothorn announced Citizen Comment Period would again resume.

Ann Davis, 342 McIntosh Road

Ms. Davis stated she was sad and disappointed that her tax dollars are being spent on efforts to defend our libraries from people who challenge books they haven't even bothered to read. She

stated any type of censorship is wrong and children, with parental permission, should have the freedom to read what they want. She stated a public library is a special place for children to get answers to questions they may be too embarrassed to ask an adult. She explained her mother had never made it comfortable for her to ask questions, so the library became her teacher. She stated there are some children who prefer to read for themselves instead of asking someone and books can help them answer difficult questions. She concluded by stating that limiting access to things does not protect children from life's challenges.

Jim Stadtlander, 2228 Old Rail Road

"I would first like to thank Mr. Martin for taking the time to come out for a tour. As you know, we have been trying to get all of you there. We enjoyed having you, Mr. Martin. It turned out to be a bit of an adventure for him, getting lost in the process. But out our way, we don't see that as a bad thing. Getting lost is what it's all about. There are fewer and fewer places to do that. Places like Oriskany, Hipes, and Surber Station. We are asking the Board of Supervisors to stand up for these small towns, for the landowners along this proposed Craig Botetourt Trail. We are a minority standing up against big lobbyists. Are you really waiting to see a plan that details how much money is to be made? Nine out of ten people we talk to don't want this trail. These small towns are unique pieces of artwork. You can't put a price tag on that. The remoteness of the existing trails that are there are like those in a National Wilderness area, the most protected areas in the Nation. What is something like that worth? Protecting an area like this is very important. Once developed there is no amount of planted trees to correct it. This proposed trail is something you can find in the surrounding counties. They have begun using up their remote areas, something this county should consider NOT doing. It's what makes us unique. Use this feature to make us stand out, to be a Mona Lisa or a Stary Night. Do not have this trail be a "banana taped to the wall" and call it art. Ruining the art we have. Consider this: Creating a trail like every other county around us, losing rural identities forever, overriding the wishes of small communities, cost of \$35M and rising. Getting lost for free, priceless!"

Robert Poyner, 66 Timber Creek Lane

Mr. Poyner stated he was 71 years old and began reading when he was 6 years old, and in fact, he read over 300 books from the library in a 3-year span. He stated his mother gave him a library book at his high school graduation and he was the only one of 6 kids in his family to graduate high school. He stated he had spent 26 years in law enforcement and had been seriously injured several times, and his mother always showed up at the hospital with a book for him to read. He stated he is hearing from citizens that children may be exposed to something in the library, but they won't be exposed unless they aren't being monitored. He stated as a parent he did not let his kids wander the library, but instead he spent that time with them. He stated he now has a brain condition that is likely terminal, but he hopes when he gets to heaven his mother will be there with a library book ready to hand to him. He encouraged everyone to do the best they can for our children.

APPROVAL OF TRANSFERS AND APPROPRIATIONS

For the month of May, there was one transfer request for a funds transfer from the Undesignated General Fund to the Greenfield Preservation Fund for the County's match of private donations recently received into the Preservation Fund.

With respect to appropriations, there were five pass-through items and eleven regular appropriations requested. The pass-through appropriations represented grant funds, donations, expenditure reimbursements, miscellaneous receipts, and an appropriation for the use of E-

Summons funds collected in order to cover expenses for May and the remainder of the FY23 fiscal year.

1. Transfer \$3,000.00 from General Fund 100 – Undesignated Fund Balance to Greenfield Preservation Fund – Fund 240. This provides a match of recent FY23 private donations received into the Preservation Fund.

PASS-THRU APPROPRIATIONS:

1. Additional appropriation in the amount of \$920.56 to the following Library accounts: \$20.56 to Books & Subscriptions, 100-4073100-73100-6012, \$150.00 to Convention & Education, 100-4073100-73100-5540, and \$750.00 to Community Programming, 100-4073100-73100-3185. These are receipts from donations.
2. Additional appropriation in the amount of \$260.00 to Technology Services – Capital Outlay – EDP Equipment, 100-4012510-12510-8007. These are equipment refunds.
3. Additional appropriation in the amount of \$1,144.05 to the following Sheriff's Department accounts: \$50.00 to Firing Range Expenses, 100-4031200-31200-6015; \$44.05 to Office Supplies, 100-4031200-31200-6001, \$1,000.00 to Overtime, 100-4031200-31200-1200, and \$50.00 to Anti-Drug Education, 100-4031200-31200-5860. These are funds received for reimbursed expenses, donations, restitution funds, and fees for the use of the firing range.
4. Additional appropriation in the amount of \$4,082.64 to the following Correction & Detention accounts: \$3,549.35 to Medical & Lab Supplies, 100-4033100-33100-6004, and \$533.29 to Uniforms, 100-4033100-33100-6011. The first item is for medical reimbursements from co-pays and Craig County regarding inmate medical care, and the second is for contract payments.
5. Additional appropriation in the amount of \$25,000.00 to E-Summons Fund – Software Purchases, 213-5003301-00000-0000-000. This appropriation is for coverage of expenses for May as well as certain activity in June.

REGULAR APPROPRIATIONS:

6. Additional appropriation in the amount of \$1,585.58 to Treasurer – Capital Outlay – Furniture & Fixtures, 100-4012410-12410-8002. This is to cover the purchase of a new check printer.
7. Additional appropriation in the amount of \$20,000.00 to Fire & EMS – Read Mountain Fire Station, 100-4035500-35500-8001-306. These are funds received in FY22 from Roanoke County per a standing agreement regarding the Read Mountain Fire Station. These funds were not previously appropriated.
8. Additional appropriation in the amount of \$125,000.00 to Social Services, 100-4053000. This appropriation is expected to cover expenses in excess of the adopted FY23 budget, with partial coverage provided by State and Federal welfare contributions.
9. Additional appropriation in the amount of \$20,056.00 to Clerk of Circuit Court, 100-4021600-21600. This appropriation covers Hospital and Medical costs for the balance of the year and directs state funding for a maintenance contract.
10. Additional appropriation in the amount of \$7,000.00 to General District Court – Professional Services, 100-4021200-21200-3100. This covers additional court activity not previously anticipated.
11. Additional appropriation in the amount of \$45,000.00 to Sheriff's Department – Vehicle and Power Equipment Fuels, 100-4031200-31200-6008. This is to assist in covering a negative variance on the fuel expense line due to high fuel costs.

12. Additional appropriation in the amount of \$55,000.00 to Maintenance – Electrical Services, 100-4043000-43000-5110. This appropriation assists in covering expected FY23 expense for this line item.
13. Additional appropriation in the amount of \$28,000.00 to Fire & EMS – Vehicle and Power Equipment Fuels, 100-4035500-35500-6008. This appropriation will assist in covering this expense line.
14. Additional appropriation in the amount of \$440,640.00 to Transfers to EDA, 100-4091800-91800-3800. This appropriation is being provided to cover the estimated VITA state (pass-through) and County grant funds to be provided for the first invoice for Lumos Project # 2 for providing Broadband service in the County.
15. Additional appropriation in the amount of \$359,150.00 to Transfers to EDA, 100-4091800-91800-3800. CIP. This is for land development costs associated with Lot # 3 in Greenfield Business Park.
16. Additional appropriation in the amount of \$95,000.00 to Fire & EMS – Capital Outlay – Diesel Exhaust Removal, 100-4035500-35500-8001-308. This appropriation is for the continuation of this work by the installation of diesel exhaust removal systems in apparatus bays.

MOTION: That the Board approve the transfer and appropriations, as presented.

MOTION: Dr. Scothorn

SECOND: Dr. Bailey

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

RESOLUTION #23-05-10

APPROVAL OF ACCOUNTS PAYABLE AND RATIFICATION OF THE SHORT ACCOUNTS PAYABLE LIST

Total expenditures requested for approval for May for the General Fund including debt service and all other funds was a combined total of \$1,606,755.57. Payable disbursements of note for the month are as follows:

Sheriff's Department	A total of \$81,082 paid to Sheehy Auto Stores for the purchase of two 2023 Ford Police Interceptor vehicles.
	A total of \$89,508 paid to CAS Severin for 17 in-car video equipment units, antennas, and related required accessories.
	It should be noted that an additional \$36,996 of the subject invoice was charged to the Traffic Safety Program Fund.
Traffic Safety Program Fund	\$38,523 paid to RK Chevrolet for a 2023 Chevrolet Tahoe 4x4 pursuit vehicle
Fire and EMS (BVFD)	\$26,044 paid to Municipal Emergency Services for a paratech vehicle stabilizations kit/system
CIP – CCH Renovation	\$106,235 paid to Architectural Partners for project services through April 22, 2023.

MOTION: That the Board approve the accounts payable and short accounts payable list, as presented.

MOTION: Dr. Bailey
SECOND: Mrs. White
AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White
RESOLUTION #23-05-11

REQUEST FOR SUPPLEMENTAL APPROPRIATION OF FY22 FUNDS – FIRE AND EMS

The appropriation expired on June 30, 2022; however, this project would carry over into Fiscal Year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED, that the following appropriation for Fiscal Year 2021-2022 is made to allow carryover of approved funding begun in Fiscal Year 2022-2023:

Destination Acct#: 100-4035500-35500-8005-000
Account Description: Fire & EMS – Cap Outlay – Motor Vehicles / Vehicle Equipment
Explanation/Reason For: Continuation of ongoing projects
May 2023 Amount: \$358,915.00
TOTAL – General Fund Operations: \$358,915.00

Approved this 23rd day of May 2023.

MOTION: That the Board approve a supplemental appropriation of FY22 Funds to Fire and EMS, as presented.

MOTION: Dr. Bailey
SECOND: Mrs. White
AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White
RESOLUTION #23-05-12

Dr. Scothorn announced Citizen Comment Period would again resume.

Jay Robinette, 148 Amsterdam Road

Mr. Robinette spoke in opposition to some books in the public library, stating that exposing our children to this is not freedom, but it is indoctrination of evil. He asked, "What will we expose them to next? What kind of adults are we producing?" He stated the reason we have elections is to ensure our elected officials keep our children safe. He stated as servants of God we must put our children first and remove these books from our library.

Ruth Sellers, 3176 Old Rail Road

Ms. Sellers stated she lives on State Route 817, and she personally would like to know is there anything the Board can do to stop this trail. She stated she lives on the main run of this proposed trail. She stated she goes to her doctor visits, visits friends, and goes grocery shopping and if this trail is put in it could possibly mean she would meet with horses, vehicles, and bicycles on a gravel road. She reported VDOT had come out with big graders and widened the road on both sides, but the community is smart enough to stay in the middle because the side is very soft, and one could end up in the ditch. She stated her community loves their beautiful nature filled neighborhood and asked if there was anything the Board could do to help them. She thanked them for anything they could do.

Russell Bennett, 218 Country View Drive

Mr. Bennett expressed opposition to graphic sexual materials found in the public libraries. He stated if you look at these images and think of children seeing them, one feels a sense of

revulsion and as adults we have to protect their innocence as was done for us when we were young. He stated some citizens have cited this goes against their First Amendment right but, there is a bit of an irony to this, because true freedom requires boundaries. He offered an example: Imagine a group of children playing next to a cliff. The fear of falling off the cliff greatly inhibits their fear of falling. But if a wall/boundary is built blocking the cliff, they can now enjoy their play without fear. As such, our library material boundaries need to be re-established, he said. He requested the Board take care of this.

Warren Clark, 165 Post Oak Drive

Mr. Clark stated he appreciated the opportunity to express his support for the proposed Craig Botetourt Scenic Trail. He stated he has biked and hiked on almost all the rail trails and he sees the value of trails to support the economy of the area. He stated Rail Trails often have local opposition at first, but in most areas the opponents will become supporters as they see the benefits of the trail. He stated the Trail, the entire route, is owned by VDOT and it is a 26-mile strip of flat land. He reported VDOT has held ownership for some time and has spent years discussing a trail. He stated he believed this trail would become a treasure for this county and a recognizable asset, even though he is old enough that he would likely never see it completed, but his grandchildren will. He stated he understands the concerns that have been expressed, but he thinks those will be overcome once people experience the rail trail. He thanked the Board for their time.

Aaro Uotinen, 94 Apple Blossom Circle

Ms. Uotinen stated she is 19 years old and there to support the public libraries. She stated she wanted the Board and administration to know that they do not speak for her or for her generation. She stated if someone disagrees with a book and thinks other people should not read it because they don't like it, then that goes against the fundamentals of our freedom. She stated banning books today is no different than banning books in our history. She stated the LGBTQ community are also members of the public and should have equal access to the public library and reading materials. She stated some people are attempting to silence the voices of the LGBTQ community, but they are members of the community too. "I did not become gay because I read a gay book and I will not become straight by hanging around straight people." She asked if people are afraid that reading about queers will humanize them? She stated it pained her to have to speak for the right to have everyone's voices heard, and for people to think her existence is not safe for the public community.

Todd Price, 77 Lignite Road

Mr. Price discussed the proposed Craig Botetourt Scenic Trail and stated his concern is having access to the National Forest. He reported in previous studies the state would close the National Forest for two weeks during hunting season, which runs for five months. He reported the "High Road" is an emergency egress in the event of flooding, and it is also for Fire and EMS to be able to get into Oriskany. He stated they have 16 miles of road that could be closed off to National Forest. He stated they are overrun with deer in Botetourt County and eliminating 16 miles of National Forest is going to overrun this region more with wild game.

Michael Parish, 2578 Trinity Road

"I am Michael Parish of Trinity Road, Troutville, and I am here to speak on behalf of Botetourt County's public libraries, more specifically to speak in opposition to the book bans that have been suggested to this body. Several of the related issues have been addressed before: The materials in our county libraries are not obscene; the members of our library staff are trained professionals who select materials appropriate for the broad constituency that is our county; and

there are adequate measures in place for parents wanting to control what their own children access at our libraries. As for other points, some have claimed without any evidence that the materials in question are for indoctrination. But if reading something were a sure path to conversion, then reading a book on Einstein would make all of us geniuses. These books are not for indoctrination as falsely claimed, but they can inform about the broader world beyond our own experiences. Furthermore, it is critical for this body to recall the value in our adolescents being able to access the materials that some want banned. The materials are invaluable sources of reliable information rather than sources of questionably value dredged from the internet or from some muted conversation beneath the bleachers. Remember that not all the children of Botetourt County are blessed to have parents or other trusted adults to whom they can turn with sensitive issues, and for their sake – for their welfare – we need these materials in our libraries. I would like to close with two thoughts: Firstly, book banning, as history has shown, is a slippery slope on which we do not want to go, a slope that has been illuminated by the torches of brown-shirted men wearing swastikas; and secondly, I recall something attributed to the American journalist Walter Cronkite, “Whatever the cost of our libraries, the price is cheap compared to that of an ignorant nation.” I suggest that cost is not just in financial terms, but that is also includes each and every one of us – regardless of our personal philosophies or beliefs – accepting some degree of discomfort with our libraries collections if we’re to avoid falling into further ignorance. Thank you.”

Dr. Scothorn announced they would return to the regular agenda and resume Citizen Comment Period later.

VDOT MONTHLY UPDATE

Brian Blevins, resident engineer, reviewed the following report:

Construction Project Updates

- **0220-011-786 (UPC 105543) Route 220 Safety Improvements – South of Route 43 to South of Iron Gate**
 - Project has been completed. Expect occasional erosion and sediment control maintenance activities.

Yearly Resurfacing Contracts

- **Prep Work:**
 - Prep work for paving on the secondaries and primaries recently started again for the 2023 paving season. Resurfacing contractors have already started in some areas of the district.

Traffic Engineering Work Orders

- A TE work order was submitted requesting evaluation of Route 220 at Daleville Town Center for a potential pedestrian signal or crosswalk.
- A TE work order was submitted requesting evaluation of the posted speed limit and potential need for advisory signs on Route 638 (Old Hollow Road) from the intersection with Route 641 (Old Ridge Road) to the intersection with Route 638 (Trevey Road).
- A TE work order was submitted for the intersection of ALT-220 and Route 11, requesting that the current “THRU-RIGHT” on southbound Route 11 be changed to a “RIGHT TURN ONLY” onto northbound ALT-220 (towards Daleville) and the on ramp for southbound Interstate 81.
- A TE work order was submitted requesting an evaluation of Rte. 681 Mary Alice Road for potentially posting speed limit signs due to traffic speeding through the road.

Land Development Projects & Land Use Permits

- **Site Plan Reviews:**
 - APEX Wind Farm Plans (on-site plans)
3rd comments sent to Botetourt County on April 3, 2023.
Waiting on plan resubmittal.
 - APEX Wind Farm Dagger Spring Road Plans (off-site plans)
3rd submittal comments sent to Botetourt County on April 3, 2023.
Waiting on plan resubmittal.
 - Buchanan Convenience Store
1st review comments sent to Botetourt County on April 28, 2023.
Plans currently under review.
 - Caldwell Mountain Estates
2nd submittal received on April 26, 2023.
Plans are currently under review.
 - Daleville Town Center Phase 5 Subdivision
3rd review comments sent to Botetourt County on May 5, 2023.
Waiting on plan resubmittal.
 - Roanoke Apartments
2nd review comments sent to Botetourt County on April 10, 2023.
Waiting on plan resubmittal.
 - WVWA Exit 150 and Route 220 Waterline Extension
1st submittal comments sent to Botetourt County on April 25, 2023.
Waiting on plan resubmittal.
- **Permits Issued:**
 - Permits issued between 03/14/2023 –05/11/2023:
 - 10 utility permits.
 - 6 private entrances.
 - 2 special events.
 - 1 commercial entrance.

Residency Projects

- **Highland Drive**
 - Additional seeding and stabilization work completed the week of May 8.
- **Primary Mowing:** The first round of primary mowing has been completed as of May 11.

Area Headquarters In-House Projects

- **Planned Routine Maintenance Work:**
 - Blue Ridge Area:
 - Grading various gravel roads, adding stone where needed and dust control where necessary.
 - Mowing/trimming on primaries and some secondary roads.
 - PMSS 2022 Routes Completed.
 - Starting on PMSS 2023 Routes.
 - Buchanan Area:
 - Grading various gravel roads, adding stone where needed and dust control where necessary.
 - Patching per PMSS 2023, ditching, and pipe replacement on Route 628, Prease Road.

Pipe Replacement on Route 635, Beaver Dam Road.
Mowing/trimming on secondary roads.

o Eagle Rock Area:

Grading various gravel roads, adding stone where needed. Grading will continue when conditions allow.

Mow trimming will resume when our machine is repaired.

Contract tree trimming on secondary roads.

Pipe replacements on secondary roads.

Begin spring mowing of secondary routes.

Dust control.

o Fincastle Area:

Grading various gravel roads, adding stone where needed and dust control where necessary.

Mow trimming on primaries and some secondary roads.

o Troutville Area:

Grading various gravel roads, adding stone where needed and dust control where necessary.

Ditching, patching various work orders throughout the Troutville area.

Mow trimming on primary routes and some secondary roads.

Machine shoulders on Route 11 (Lee Highway) and Route 220 (Roanoke Road).

Shoulder work along Route 11 (Lee Highway) and Alt-220 (Cloverdale Road).

Ditching and cutting brush per PMSS 2023 on Route 657, Rainbow Forest Drive.

Mow trimming on Route 665, Country Club Road.

Pipe replacement on Route 1010, British Woods Drive.

Pipe replacement on Route 1413, Knollwood Drive.

Patching on Route 1423, Rollingwood Court.

Pipe replacement on Route 1431, Heather Lane.

Tree trimming and patching in the Stratford Subdivision.

Mr. Martin asked for consideration to pave Queen Region Court, McGregor Drive, and Heritage Drive. He also noted VDOT was supposed to check the culvert at Timberlin and Ridge View and it had been two months and the culvert is still full. He also reported the crossover at Blue Ridge Post Office, there are two crossovers, one has a deceleration lane, and one does not. Mr. Blevins replied there is the possibility of using some safety funds there and they will take a look at it again for the September allocation, but the funds for FY24 are exhausted.

Mr. Clinton asked about the crossover at Daleville Town Center, noting he thought that was already considered. Mr. Blevins replied they had received another request from a citizen and a traffic engineer is going to look at it again.

Mrs. White asked if there was any follow-up from last month's meeting on Mr. Lovell's guardrail questions. Mr. Blevins replied they had spoken a few times and are trying to get together because it will involve a longer, more in-depth conversation.

Mrs. White reported on Nace Road, at the intersection of Route 11, in the sharp turn, the shoulders are very deteriorated, very soft, and very dark. She noted a few citizens had reported to her that they are going to "fall off the side". Mr. Blevins replied he would look at it.

Dr. Scothorn reported Botetourt East needs resurfacing. Also, Read Mountain Road and Apple Tree West have almost a disruption in the pavement, and is slippery when wet.

VDOT WORK SESSION ON THE FY23-28 SECONDARY SYSTEM SIX YEAR PLAN

Ashley Mothena, VDOT Assistant Resident Engineer, reviewed a presentation and explained that the estimated allocations run through 2029 and the priority number of zero means that the project has been completed and will come off the list this year.

Telefee funds can be used on various types of projects and fund countywide service funds. District Grant – Unpaved funds can only be used to hard surface gravel roads already maintained by state and have a minimum of 50 vehicles per day.

Secondary System
Botetourt County
Construction Program
Estimated Allocations

Fund	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029	Total
TeleFee	\$91,808	\$91,808	\$91,808	\$91,808	\$91,808	\$91,808	\$550,848
District Grant - Unpaved	\$425,211	\$433,744	\$546,027	\$546,027	\$546,027	\$546,027	\$3,043,063
Total	\$517,019	\$525,552	\$637,835	\$637,835	\$637,835	\$637,835	\$3,593,911

The current Priority List was presented as follows:

- 0. UPC 113531 – Route 622, Prices Bluff Road – Completed
 - Estimate: \$350,000
 - Expenditures: \$169,291
 - Remaining: \$180,709
- 0. UPC 113532 – Route 697, Clydes Run Road – Completed
 - Estimate: \$400,000
 - Expenditures: \$ 166,032
 - Remaining: \$233,968
- 1. UPC 113530 – Route 646, Back Creek Lane – Underway
 - Estimate: \$250,000
 - Expenditures: \$924
 - Estimated Completion: Fall 2023
- 2. UPC 113529 – Route 712, Stevens
 - Estimate: \$550,000
 - Fully Funded FY 2025
- 3. UPC T24801 – Route 685, Ball Park Road
 - Estimate: \$400,000
 - Fully Funded FY 2026
- 4. UPC T24802 – Route 643, Mountain Valley Road
 - Estimate: \$250,000
 - Fully Funded FY 2026
- 5. UPC T25595 – Route 658, Laymantown Road
 - Estimate: \$50,000
 - Fully Funded FY 2027
- 6. UPC 122932 – Route 645, Fringer Trail
 - Estimate: \$500,000

- Fully Funded FY 2028
7. UPC T26945 – Route 677, Roy Road
- Estimate: \$500,000
 - Fully Funded FY 2028

Available Allocations

Unpaved

Previous FY	\$420,128
FY 2024	\$0
FY 2025	\$0
FY 2026	\$152,996
FY 2027	\$42,054
FY 2028	\$0
FY 2029	\$546,027
TOTAL	\$1,161,205

Telefees

Previous FY	\$381,133
FY 2024	\$51,808
FY 2025	\$51,808
FY 2026	\$51,808
FY 2027	\$51,808
FY 2028	\$51,808
FY 2029	\$91,808
TOTAL	\$731,981

Potential Projects

- **Route 728, Redbud Lane**
 - **Rural Rustic**
 - **Estimated Cost: \$300,000**
 - **2019 Traffic Count 70 vpd**
 - **Approximate Length: 0.5 miles**

- **Route 600, Haymakertown Road**
 - Rural Rustic
 - Estimated Cost: \$400,000
 - 2016 Traffic Count 100 vpd
 - Approximate Length: 1.2 miles

- **Route 638, Old Hollow Road**
 - Rural Rustic
 - Estimated Cost: \$350,000
 - 2019 Traffic Count 70 vpd
 - Approximate Length: 0.6 miles

- **Route 684, Sugar Tree Hollow Road**
 - Rural Rustic
 - Estimated Cost: \$2.5 million
 - 2019 Traffic Count 90 vpd
 - Approximate Length: 4.5 miles

- **Route 638, Trevey Road**
 - Rural Rustic
 - Estimated Cost: \$400,000
 - 2019 Traffic Count 50 vpd
 - Approximate Length: 0.6 miles

- **Route 767, Blue Ridge Drive**
 - Drainage Improvements
 - Estimated Cost: \$85,000
 - Telefees
 - *VDOT recommends addition to SSYP*

- **US Alt 220**
 - Turn Lane at Route 1117, Summerfield Court
 - Turn Lane Warrant Analysis
 - *VDOT does not recommend addition to SSYP*

- **Town of Fincastle One-Way Streets**
 - Convert remaining portions of Main Street and Back Street
 - Would include signs and striping
 - Telefees
 - *VDOT recommends addition to SSYP*

Mrs. White thanked Beverly Cole for her comments regarding Fringer Trail. She reported the November 27, 2012 Board of Supervisors Minutes show a public hearing was held regarding Fringer Trail and there was great discussion with people in favor of and opposed to this project. She read some of the public comments from the Minutes. She stated in 2020 she again presented a petition to get Fringer Trail added to the Secondary Six Year Plan and the residents have been waiting over 10 years for this project. "For the residents of Buchanan, this is a good opportunity to make good on what should have happened ten years ago", she stated.

Ms. Mothena stated that the Board is responsible for designating the priority list and she would be happy to make the changes per the Board's request. She reminded the Board that any changes made will bump all the other projects down.

Dr. Bailey asked Ms. Mothena about the \$400,000 on page 3 that did not get used, and what could be done with those funds. Ms. Mothena replied those funds could be allocated to a Rural Rustic project, but they do not have the resources all the time to do two projects at one time.

Dr. Bailey asked about the telefees on page 6 and if that money had to be used separately. Ms. Mothena replied the telefees funds can be used on paved roads and they could move current funding around to make something fully funded sooner, rather than waiting until later. She noted the \$400,000 is already included in the \$1.1M.

Ms. Mothena stated this is FY24 that they are moving into and some of the projects were started sooner than they were supposed to be. She stated Back Creek was scheduled to be in 2023, and she wasn't sure which projects were added back in 2017, but things can move faster because funds can trickle down.

Dr. Scothorn asked about the traffic pattern for Fringer Trail. Ms. Mothena replied there are about 100 vehicles per day.

Mr. Martin added that he had been on Fringer Trail and they do need help.

Dr. Bailey asked when Stevens Road got added and Ms. Mothena replied she believed it was in 2017.

Mr. Clinton asked about the criteria for Rural Rustic. Ms. Mothena replied it must be a state maintained road with at least 50 vehicles per day and gravel. She added the design they do takes care of environmental clearances and they do not use outside consultants for those things. Mr. Clinton stated that he fully understood Mrs. White's concerns, however, it concerned him to move priority lists around once they are done because that undermines a carefully thought-out plan and process. He noted Fringer Trail will get done and where it is on the list now is not too bad. Mrs. White stated in 2012 the Board voted and should have followed up then but no action was taken so she was trying to rectify that. She agreed it is important to stay in line with the priority list, but in this case, she was still comfortable requesting this be moved up. Dr. Scothorn recalled it came up again in 2016.

Dr. Bailey questioned how moving Fringer Trail up on the priority list would affect the timeline for other projects. Ms. Mothena replied the earliest they would get to a new project would be next spring, in 2024. She noted if the Board assigned Fringer Trail as Project #2, that would be the next project in line and everything else would be bumped down to a later date.

Mrs. White questioned if it would make financial sense to do one after the other. Ms. Mothena replied they can sometimes get two projects done in the year, but she couldn't make any promises because this year they have been told they have multiple maintenance projects the state wants them to spend the money on. She emphasized they definitely cannot do two projects this year.

MOTION: I recommend that Fringer Trail be moved up on the list to coincide with Back Creek Lane.

MOTION: Mrs. White

SECOND: Mr. Martin

AYES: Mr. Martin, Dr. Scothorn, Mrs. White

NAYES: Dr. Bailey, Mr. Clinton

RESOLUTION #23-05-13

A public hearing for the VDOT Secondary System Six Year Plan will be held in June, with official Board approval of the Plan to follow.

Dr. Scothorn announced Citizen Comment Period would again resume.

Timothy Buchanan, 2487 Frontage Road

Mr. Buchanan stated certain members of this Board had failed. He stated community backlash shut these books down in Ohio and North Carolina. He stated exposing children to perverted sexual ideas is always wrong. He stated First Amendment liberties are neither absolute nor unconditional and laws are not for the righteous but to restrain the unrighteous. He stated our children need to be protected from those who will exploit them. He appealed to the Board to remove these books from the public libraries.

Glenda Buchanan, 2487 Frontage Road

Ms. Buchanan stated in the 1960s there was a sexual revolution. She read an excerpt from one of the library books that stated, "some babies grow into different genders, there are lots of different genders, some are neither, some are both". She stated that she was glad that she was not a child growing up in this time and how confusing it must be for a 5/6/7-year-old. She called the contents of these books "sexual exploitation" and just a way to get pornography into the hands of young children because the target age for these books 5-12 year olds. She stated for the last 6,000 years, people have figured out how to procreate on their own, it's a natural occurrence, and they don't need a book to teach it. She stated we have lost touch with the natural order of things and parents do not need to teach their kids how to have sex, they figure it out on their own.

Dr. Kathy Kerkering, 1914 Grove Hill

Dr. Kerkering introduced herself as a retired pediatrician. She explained she realizes there are many differences in the embryology and development of a fetus and there are differences in the genetic outcomes of infants. She stated she is completely against banning any books. She stated she, her children, and her grandchildren have all grown up reading books at the public libraries. She thanked the Board for their time.

Rebecca Clark, 161 Post Oak Drive

Ms. Clark stated she supports the libraries and opposes the banning of books. She stated she values the rights of individuals and those that disagree with her decisions, but they also do not have the right to ask her to change what she believes and reads. She stated our public libraries

are to provide a wide range of resources for all and the First Amendment guarantees this right to free speech to us all. She stated it is not the right of a parent to determine what another child reads and cultural, gender, or religious rights of a few should not limit the choices she makes for her family. She thanked the Board for the opportunity to express her free speech.

Reverend Jeff Black, 157 Bide-A-Wee Lane, Wytheville, Virginia

Rev. Black stated while he does currently live in Wytheville, he had pastored in Botetourt County for 15 years. He quoted some scriptures from the Bible, reminding everyone it is over 4,000 years old. He stated the ancient Jews considered the book of Proverbs to be for boys, and the Song of Songs for girls. He discussed what the Bible says about sexual activity in appropriate relationships and provided scriptures for reference. He stated these books are putting images in little girls' and little boys' minds that they will never forget. He concluded by encouraging everyone to honor Christ and to not arouse sexual interest in children.

Christine Liana, 3461 Country Club Road

"Good afternoon, my name is Christine Liana. My address is Troutville, Amsterdam district. There's a lot of political theatre here today. You're hearing library groups complain their right to "free speech" is under attack, and falsely accuse us of "book banning" and "censorship." These are smoke screen diversions from the REAL ISSUE – which is setting Community Standard boundaries for materials that are acceptable and accessible to children and teens, with our tax dollars. These books fall under the legal definitions of "pornography," "obscene," "explicit," and "perverted," of which our County attorney should be fully aware. With their talk about "Nazi's," "brown shirts," and "book banning," they didn't tell you that last month the president of the American Library Association, Emily Drabinski, proudly declared herself a Marxist Communist, did they? You'll hear library groups say we're "haters" or "intolerant" of LGBTQ demographic. We do not hate them. But if we disagree with their lifestyles, they change the narrative and claim they are victims of hate. The national organization, Gays Against Groomers, states on their website their opposition to this indoctrination and sexualization of children. You'll hear the Botetourt Library Director claim that these sexually explicit books are popular and wanted by patrons because of the numerous check-outs and hold requests. The flip side is that concerned citizens are checking these books out to get them OFF the shelves and away from vulnerable children. You'll hear library groups try to use religion against us. But regardless of Christian, Jewish, Muslim, agnostic, or atheist ANYONE with eyes and a functioning brain sees these books for what they are: brainwashing children with gender-bending, sexualization, sexual perversion, and pornography and obscenity. The Fincastle Herald quoted the Botetourt Library Director saying that "These and other children's materials are accessed only under the direct supervision and consent of an adult caregiver." But we see that children can easily pull these books off the shelves and see the content before their "adult caregivers" have a chance to intervene and "supervise." We've heard them talk about the "good old days" when granny and grandpa and mom and dad took them to the library – and they're right. I remember it too. But these aren't the "good ol' days" anymore. WAKE UP, folks! We didn't have to worry about seeing pornographic children's books when we went to the libraries! But we haven't heard YOU as our elected officials talk with US. You've heard us speak to you in January, March, April, and May. You directly received documentation and research, plus written support from Congressman Cline, Delegate Christopher Head, and our Lieutenant Governor to protect our children from pornography in the libraries. You received the Draft Resolution that I sent to you, and my e-mails of May 8 and 18. Yet we've heard nothing from you. We're not being fairly represented; our local media, The Fincastle Herald and the Botetourt Bee did not contact us to get our side and the facts, and when I called The Fincastle Herald editor and offered to talk with him, he agreed to a meeting but never called me back. You know that you can make rules that

govern our County and can reject these pornographic books that come to our youth through the reciprocal agreement with Roanoke. You state on your Board website: "the Board of Supervisors is responsible for enacting laws and setting policies." IF anyone on the Board says "there's nothing they can do," they're lying. Please don't pee on the tree and tell us it's raining. Without boundaries, there are NO boundaries – anything goes: including depravity and lawlessness. Note: Print-outs were handed to each of the Board members of the library books: "Gender Queer" and "Flamer", illustrated graphic books for teens with pornographic images and text; "Making a Baby", a children's book showing illustrations of naked men showing their genitals in a shower with a young boy, a naked woman with pubic hair giving a child a towel, and a couple in bed having sex with an illustration of a penis in a vagina; "The Every Body Book," a children's book showing illustrations of a homosexual couple in bed, a pregnant man, and condoms for sex instruction (AGES 8-12); "Being You," a children's books with illustrations and the text: "Some babies grow into a different gender than the one that grown-ups call them. There are lots of different genders that people grow into. Some people are girls. Some people are boys. Some people are neither. Some people are both."

UPDATE ON EMERGENCY COMMUNICATIONS RADIO SYSTEM RFP PROCESS

Matthew Hinckle, Emergency Communications Manager, reported the Emergency Communications Committee had continued to be very actively involved in the procurement process needed to reach a recommendation of a proposal to the Board for consideration in the replacement of the emergency communications radio system.

Currently, the committee and Mr. Hinckle are working with MORCOM to set the timeline for the remaining steps in the process, in order to put forth a recommendation for consideration of Botetourt County's next emergency communications radio system.

To date, two proposals were received. The Committee will submit questions on June 9 and request responses by June 23. The Committee plans to bring an award to the Board on July 25. Once approved and everything is in order, it is the hope of the Committee to switch over to the new radio system in 2025.

UPDATE ON APEX ROCKY FORGE PROJECT

Nicole Pendleton reported that Mr. Pearson had been reviewing onsite plats but there was no update on the site plan.

Mrs. White asked if there are any limits on how many times plans can be reviewed? Mrs. Pendleton replied there are no limits, but the average is normally 3 or 4, but this project has had 13-14. She added this is an incredibly complicated project and they are required to review plans as they come in, to make sure there are no changes. Mrs. White asked what occurs if that happens? Mrs. Pendleton explained then everything must be recorded and bonded, everything has to meet all the required qualifications, and they have a Bonding Committee that reviews this. Once everything is done, they would issue a permit letter, followed by a building permit. She noted she has no building plans for review at that time.

Dr. Scothorn announced Citizen Comment Period would again resume.

Danny Goad, 4766 Read Mountain Road

"Thank you, Mr. Chairman, for the opportunity to address the Board of Supervisors. My name is Danny Goad and I live at 4766 Read Mountain Road. I want to address the issue of pornographic materials that the Board of Supervisors pays for and distributes to children from the Botetourt County libraries. I attended the May meeting of the Library Board of Trustees. I

witnessed the Chairman of the Board of Trustees shove one of these pornographic books at an attendee in disgust stating, "I've already seen the book." I also witnessed another member of the Board when questioned by an attendee whether he would give this book to his grandchild, he stated, emphatically, "Of course not." You see, everyone knows this is evil. God, our Creator, has established governments among men for the good of the people. God makes that clear in Genesis, the Psalms and Romans. Similarly, it is made clear in a more contemporary document of the people, the Virginia Bill of Rights Section 3, that government is made for the good of the people. As an elected representative of the people, you are required to work for the good of those that you represent, do you love your neighbor as Jesus has commanded? As a representative of the people, do you love those you represent? In Romans, God has told me that I must obey the Civil Government. But God does not leave me hopeless in this command, He tells me what a legitimate government looks like. The Botetourt County Board of Supervisors is delegitimizing its own authority by requiring that those living in the County that own property shall have their property take at the point of a gun if they refuse to pay for purchase of pornography and to distribute it to children in the libraries. You see, what I am saying here is, you will force the people of Botetourt County to disobey your commands. When you have done that, you are no longer a legal authority that we are to obey."

Stevie Lovell, 4773 Read Mountain Road

When called upon, Mr. Lovell stated because the meeting had run so long, he wished to withdraw his request to speak.

APPOINTMENTS

Roanoke Valley-Alleghany Regional Commission (RVARC) appointments – The terms of Steve Clinton, Billy Martin, and Gary Larrowe expire June 30, 2023. All are eligible for reappointment. These are three-year terms from July 1, 2023 through June 30, 2026.

MOTION: That the Board reappoint Steve Clinton, Billy Martin, Sr., and Gary Larrowe to the Roanoke Valley-Alleghany Regional Commission (RVARC) for a term of three years, starting July 1, 2023 – June 30, 2026.

MOTION: Dr. Bailey

SECOND: Dr. Scothorn

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

RESOLUTION #23-05-14

BOARD MEMBER COMMENTS

Dr. Scothorn thanked everyone for their patience in maneuvering through the agenda. He reported the Botetourt County Fire and EMS received an award for the Girls' Fire Camp from the National Association of Counties (NACO) and he congratulated them all. He stated Chief Ferguson couldn't have a more honorable team and Taylor Lunsford really brought this to the forefront and spearheaded this. He noted the next Girls Fire Camp is scheduled for June 24, with 58 participants last year and this year there are expected to be 72 participants.

Dr. Scothorn discussed a Pilot Grant awarded to Virginia Early Childhood Foundation (VECF) to support Botetourt County's need for childcare services. He stated in November of 2022, Luke Campbell followed up on a lead from Dr. Bailey about a new program called Wonderschool. Mr. Campbell met with a Wonderschool representative to learn more about their program and found that they are a tech company who provides business services and assistance to small childcare centers and family day homes. After learning of their partnership with Virginia Early Childhood Foundation, Mr. Campbell met with Kathy Glazer, president of VECF, and asked if

this was an initiative they were planning to implement state-wide. Mr. Campbell learned that they are still in the beginning stages with Wonderschool but are looking for avenues to implement the program more broadly within the state. Wonderschool hopes to have a new childcare provider trained around the start of the next school year. Wonderschool empowers local providers to run sustainable small childcare centers and home-based childcare businesses through its app and online platform, and also facilitates the start-up of new childcare businesses. Their services and platform accelerate start-ups and streamline the business administration side of childcare so providers can focus on quality of care for the children. Wonderschool has brought their model to Virginia and seeks to start a program in Botetourt County. The Virginia Early Childhood Foundation is willing to support the cost of a pilot start-up by Wonderschool in Botetourt County. Paired with Botetourt's broadband initiative, this partnership among Wonderschool, VECF, and Botetourt County and use of an online platform to support sustainable childcare businesses could help to serve the County in areas where broadband has recently been established while promoting small business entrepreneurship and working families.

Mrs. White stated she recently attended the CTE signing event at Botetourt Technical Education Center (BTEC). She noted 31 of our graduates signed with local employers, with many going to Altec. She stated these are very promising opportunities for these students.

Mrs. White stated she had received several calls about an apartment complex going in behind the Dollar General Store and she wanted to clarify that none of the Board members are aware of this.

Mrs. White asked if there was an update on the vacant position and the Extension office. She noted this office is a tremendous resource for our county. Mr. Larowe replied he had contacted the office on May 16 and at that point they had done some interviews, with one applicant being offered the position, but they declined the offer; therefore, they are still trying to fill the position.

Mrs. White stated it had been a long day and clearly there are two very distinct sides to each issue today. She commended everyone for their civility and behavior. She stated citizens eloquently spoke their feelings and she appreciated it. She stated someone had made the comment, "It doesn't matter how you address this, just address this", but it does matter, and the Board considers things from all angles and want to address this correctly because their decisions impact the entire County.

Dr. Bailey congratulated Mrs. White for being named the Roanoke Blacksburg STEM Educator of the Year. He stated the community is lucky to have her as a citizen, and the Board is also lucky to have her around their table.

Dr. Scothorn recessed the meeting at 4:47 p.m. The meeting reconvened at 6:00 p.m.

6:00 P.M. PUBLIC HEARINGS

(Advertised in the *Fincastle Herald* on May 10, 2023 and May 17, 2023, in accordance with the *Code of Virginia*.)

Fincastle District: Gregory L. and Kathy S. Johnson to vacate portions of a 60-foot right of Way and a 13-foot alley as shown upon a preliminary plat prepared by Vess Surveying, Inc, dated January 1, 2021 as revised through March 29, 2023. The portions of right of way and alley to be vacated are known as Glade Ave, which measures 60 feet in width by

192 feet in length, and an alley, which measures 13 feet in width by 192 feet in length. The right of way and alley are located near Flat Road (SR703) and 7th Street (Private) in Iron Gate, Virginia, and adjacent to parcels identified on the Real Property Identification Maps of Botetourt County as Section 1A(A), Parcels 67-4A, 67-1 and 68-1.

Drew Pearson presented the request and reviewed the following staff report:

REQUEST: Gregory L. and Kathy S. Johnson are requesting to vacate 192 linear feet of a 60 foot-wide unopened right of way and 192 linear feet of a 13-foot-wide unopened alley.

STAFF COMMENTS: The portions of the right of way and alley proposed for vacation only front the parcels owned by the applicants and do not currently provide access to any other tax parcels and legal access would not be taken away from any parcels should the request be approved. The other portions of these right of way and alley within this block were previously vacated by an ordinance adopted by the Board of Supervisors on May 24, 2022.

LEGAL ADVERTISEMENT: Pursuant to the provisions of Section 15.2-2006 of the Code of Virginia of 1950 as amended, a public hearing will be held by the Botetourt County Board of Supervisors on Tuesday, May 23, 2023 in the Botetourt County Administration Center at 57 S. Center Drive, in Daleville, Virginia, to consider a request from Gregory L and Kathy S Johnson to vacate portions of a 60-foot right of way and a 13-foot alley as shown upon a preliminary plat prepared by Vess Surveying, Inc, dated January 1, 2021 as revised through March 29, 2023. The portions of right of way and alley to be vacated are known as Glade Ave, which measures 60 feet in width by 192 feet in length, and an alley, which measures 13 feet in width by 192 feet in length. The right of way and alley are located near Flat Road (SR703) and 7th Street (Private) in Iron Gate, Virginia, and adjacent to parcels identified on the Real Property Identification Maps of Botetourt County as Section 1A(A), Parcels 67-4A, 67-1 and 68-1.

EXISTING CONDITIONS AND BACKGROUND: The subject properties are in the Community of Iron Gate and in the Agriculture Residential (AR) Use District. The general area contains a system of right of ways and alleys of various widths that provide legal access to existing tax parcels, some of which have been improved with VDOT maintained streets, others with private streets and many that have never been improved. No construction of improved streets or other public infrastructure are located within the right of way or the alley proposed for vacation. This area of Iron Gate is served by individual well and septic systems.

It appears that at the time the right of ways and alleys were platted, the County did not have a subdivision ordinance. Therefore, for the right of way or alley to be accepted by the public, the County would have had to either accepted them by resolution or to have exercised dominion or control over them. It does not appear that either occurred, however, in an abundance of caution, the Board is being requested to abandon and vacate the right of way and alley.

PROPOSED DEVELOPMENT: Should the ordinance be approved, the land area of the vacated right of way and the alley would be combined into the applicant's parcels as shown on the preliminary plat included in the application.

ADJACENT AND SURROUNDING USES/ZONING:

	<i>Zoning</i>	<i>Land Use</i>
<i>North</i>	<i>Residential (AR)</i>	<i>Single-family Residential & Vacant</i>

South	Agricultural (AR)	Single-family Residential & Vacant
East	Agricultural (AR)	Single-family Residential, Agricultural & Vacant
West	Agricultural (A-1)	Single-family Residential & Vacant

2010 COMPREHENSIVE PLAN: The 2010 Comprehensive Plan identifies future land uses of properties in this area as Medium Density Residential. Medium Density Residential: This category includes areas where suburban patterns of residential development have occurred and are encouraged to occur in the future. Although single family homes are the predominant land use in this category, higher density residential development such as townhomes and apartments may also be suitable. Allowable future densities in these areas should be based upon the availability and adequacy of public facilities and the compatibility of the proposed land use with surrounding properties. Public water and/or sewer typically serve or are planned for these areas.

TRAFFIC: The right of way and alley proposed for vacation connect to 7th Street (Private) that provides access from Flat Road (SR703). 2019 VDOT traffic data for Flat Road indicates that there is an Annual Average Daily Traffic (AADT) volume of 230 vehicles.

FIRE AND RESCUE: The Iron Gate Fire Station is located 0.9 miles from the subject properties and the Glen Wilton Fire Department and Rescue Squad is located 6.3 miles from the subject properties.

PUBLIC COMMENT: No comments have been received to date.

Dr. Scothorn declared the public hearing open. Having no citizens wishing to address the Board, Dr. Scothorn declared the public hearing closed.

MOTION: That the Board approve the ordinance as presented and on the basis that the proposed right of way and alley vacation will have little to no adverse effect upon the community or other properties in the vicinity.

MOTION: Dr. Bailey

SECOND: Mr. Martin

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

RESOLUTION #23-05-15

Fincastle District: Eastern Appalachian Teen Challenge Inc., requests a change of conditions associated with a Special Exception Permit for a private school approved on October 23, 2007 in the Agricultural (A-1) Use District in accordance with Sec. 25-73.- Uses by special exception and Sec. 25-583. – Special exceptions of the Botetourt County Code to allow for the permitting of an identification sign. This 6.063-acre parcel is located at 4281 Botetourt Road, approximately 0.24 miles northeast of its intersection with Mary Alice Road (State Route 681), identified on the Real Property Identification Maps of Botetourt County as Section 48, Parcel 56.

Mr. Pearson presented the request and reviewed the following staff report:

Planning Commission Recommendation: By unanimous vote, the Planning Commission recommended approval on the Change of Conditions by modifying condition #9 that prohibited

an identification sign to the following: 9. Freestanding signage shall be limited to a twenty-four (24) square-foot ground sign.

Staff Comments: No public comments were received prior to or during the Planning Commission's public hearing. The application did not propose any changes to the other SEP conditions imposed on the private school, and while the amended condition would allow for the permitting of a ground sign, the condition would limit the area of the sign to approximately half the size that would normally be allowed if the condition did not exist.

Dr. Scothorn asked if the Board could change it to read "up to 40 feet", in case they want to get a bigger sign in the future. Mr. Pearson replied the Board could simply eliminate the #9 condition. The Applicant was in attendance and stated he appreciated the suggestion of the option for a larger sign.

Mr. Carroll, attorney, advised a change in the size of the sign may require another advertisement for public hearing. After reviewing the legal advertisement, it was determined the public was properly notified and the notice in the newspaper was sufficient.

Dr. Scothorn declared the public hearing open. Having no citizens wishing to address the Board, Dr. Scothorn declared the public hearing closed.

MOTION: That the Board approve the Change of Conditions request on the property of Eastern Appalachian Teen Challenge, with the elimination of Condition #9.

MOTION: Dr. Bailey

SECOND: Dr. Scothorn

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

RESOLUTION #23-05-16

Proposed text amendments to amend the zoning ordinance to add the proposed new uses of electric vehicle charging station, private and electric vehicle charging station, public as permitted land uses, along with associated definitions, regulations and permitting requirements for each as follows: Chapter 25, Zoning, Article II. – District Regulations Generally to add each type of charging station, as either permitted when meeting supplemental regulations or by special exception permit when meeting supplemental regulations within each zoning use district; amend Article VI. – Definitions to add definitions specific to charging stations; amend Article IV. – Supplemental Regulations, Division 1. – Use Regulations to add supplemental regulations specific to charging stations that includes the purpose and intent of the ordinance, the applicability of the regulations to existing and proposed charging stations, general requirements that apply to all charging stations, development standards that apply to each type of charging station, application requirements, and amend Sec. 25-431. – Accessory uses and structures; parcel limitations to charging stations, private when meeting supplemental regulations under residential, commercial, and industrial accessory structures.

Drew Pearson presented the request noting the Planning Commission recommended approval of the Electric Vehicle Charging text amendments, as represented in the staff background report, with one change that adds the Level 3 Charging Station as a permitted, private use in the Agricultural (A-1) Use District for the purpose of accommodating electric tractors.

He reported there was one public comment received during the Planning Commission's public hearing. The Planning Commission responded to safety concerns by the National Electric Code (NEC) and that permits and inspections would be required by the County's Building Inspections Office. Article 625 of the NEC is specific to electric charging stations and in addition to requiring permits and inspections, the standards require that the design of the stations include required listings for all electrical materials, devices, fittings and associated equipment; interlocks that de-energizes the connector and its cable whenever a connector is uncoupled from an electric vehicle; automatic de-energizing of the cable conductors and connector upon exposure to strain; and be of a listed system that protects users from electric shock.

Mrs. White questioned how the economics work, such as taxes. Mr. Pearson replied the stations are credit card based with different subscriptions for different companies. Users are charged for the amount of power that is used at that station.

Dr. Scothorn asked the amount the state charges for this use. Mr. Pearson replied he did not know the tax on the sale of the electricity but when vehicle tags for electric cars are renewed there is a fee for road tax, so the state gets that.

Dr. Bailey asked if the charges are interchangeable. Mr. Pearson replied there are adapters that folks would carry with them, especially if they are going on a long trip. A Level 2 charger for your home is around \$800-\$1200 and there are some rebates available. Most charging will take place at the home, he noted.

Mrs. White asked if Chief Ferguson had been apprised of this and if so, did he have any concerns. Mr. Pearson replied he had not had any direct conversation with Chief Ferguson.

Dr. Scothorn declared the public hearing open. Having no citizens wishing to address the Board, Dr. Scothorn declared the public hearing closed.

MOTION: That the Board approve the Electric Vehicle Charging text amendments as recommended by the Planning Commission and presented by staff.

MOTION: Mrs. White

SECOND: Dr. Scothorn

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

RESOLUTION #23-05-17

Proposed text amendments to amend the zoning ordinance to add small-scale, minor Scale roof, minor-scale ground and utility-scale solar energy facilities as permitted land uses, along with associated definitions, regulations and permitting requirements for each as follows: Chapter 25, Zoning, Article II. - District Regulations Generally to add each type of solar facility, as either permitted when meeting supplemental regulations or by special exception permit when meeting supplemental regulations within each zoning use district; amend Article VI. – Definitions to add definitions specific to solar energy facilities; amend Article IV. – Supplemental Regulations, Division 1. – Use Regulations to add supplemental regulations specific to solar energy facilities that includes the purpose and intent of the ordinance, the applicability of the regulations to existing and proposed solar facilities, general requirements that apply to all types of solar facilities, development standards that apply to specific types of solar facilities, community meeting requirements for minor-scale ground or utility-scale solar facilities,

application requirements specific to minor-scale ground and utility scale solar facilities, considerations on issuing special exception permits, requirement of annual report for minor-scale ground or utility-scale solar facilities, requirement of notice for change in ownership of minor-scale ground and utility-scale solar facilities, a requirement of a surety for decommissioning of utility-scale facilities when no longer in use and amend Sec. 25 431. – Accessory uses and structures; parcel limitations to change the use of solar power panels to small-scale solar energy facilities when meeting supplemental regulations under residential, commercial, and industrial accessory structures.

Nick Baker presented the request and reviewed the following staff report:

Planning Commission Recommendation: On a vote of 4:1:0:0 with Mr. Kidd dissenting, the Planning Commission recommended approval of the Solar text amendments.

Staff Comments: The goal of the proposed text amendments is to create an ordinance that allows for the permitting and regulation of solar energy facilities while maintaining the rural nature of the county. Solar energy facilities are not listed as a permitted or special exception use in the current version of the zoning ordinance. The proposed amendments seek to add clarity by amending the district regulations, supplemental regulations and definitions to add specific language related to solar energy facilities. Staff made one change to the draft ordinance since the Planning Commission meeting on 5/8/23. Language found in section (h), application requirements, that required a copy of the cultural resources review conducted in conjunction with the state Department of Historic Resources for the Department of Environmental Quality permit by rule process has been removed. Removing this language provides greater clarity for the applicant and avoids any overlap with language already found in the same section.

Public Comments: Public comments were not received before or during the Solar text amendments public hearing process.

Mr. Baker also noted that any solar use facility has to employ anti-glare technology and must meet building and zoning requirements. The fencing is a 6-foot height requirement with barbed wire and a buffer is required to go into the 150-foot setback, which can be an existing buffer or newly planted. Lighting standards must comply with current quality standards, he noted.

Dr. Bailey questioned the 20-foot max height and wondered if that is standard. Mr. Baker replied most will not be that high, but to get the correct angle, it may be necessary.

Dr. Bailey asked if barbed wire for the fence is standard. Mr. Baker replied it is standard, the security standard, to keep people out of the area because the solar panels are very expensive and valuable, so it is in place to protect everyone. The barbed wire is across the top, with chain link on the bottom, he clarified.

Dr. Bailey asked about the mentioned pollinator issue, and specifically what is the concern. Mr. Baker replied solar panels create a lot of heat.

Dr. Bailey asked about the environmental inventory statement and who is qualified to do that. Mr. Baker replied with other localities that he had talked to the property was being leased so it would be the company leasing the property, applying for the SEP, and providing that information, as opposed to the property owner. It is a third-party source, he concluded.

Dr. Scothorn asked is bare ground under the solar panels, and if so, what about heavy rain and washout issues. Mr. Baker replied there is vegetation there to absorb water and they do not want to see asphalt underneath.

Dr. Scothorn questioned the statement, "Prior to obtaining a building and zoning permit, and on every fifth anniversary of the commencement of the operation of the project, the owner or operator shall provide the county an estimate of the projected cost of decommissioning, as stated in the required decommissioning plan." Mr. Baker replied this is because of bond that is required.

Dr. Scothorn declared the public hearing open. Having no citizens wishing to address the Board, Dr. Scothorn declared the public hearing closed.

MOTION: That the Board approve the Solar text amendments to the Botetourt County Code, as recommended by the Planning Commission and presented by staff.

MOTION: Dr. Scothorn

SECOND: Dr. Bailey

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

RESOLUTION #23-05-18

ADJOURNMENT

MOTION: That the meeting be adjourned.

MOTION: Mr. Martin

SECOND: Dr. Scothorn

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

TIME: 7:20 p.m.

RESOLUTION #23-05-19