

## BOTETOURT COUNTY BOARD OF SUPERVISORS

### MINUTES OF JULY 31, 2023

The regular meeting of the Botetourt County Board of Supervisors was held on July 31, 2023, at the Botetourt County Administration Center, 57 S. Center Drive, Daleville, Virginia, beginning at 5:30 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  
Mr. Gary Larrowe, County Administrator/Clerk  
Mr. David Moorman, Deputy County Administrator  
Mr. Jonathan Lanford, Assistant County Administrator  
Mrs. Lorie Bess, Deputy Clerk

Mrs. White called the meeting to order at 5:40 p.m. Dr. Scothorn arrived at 5:45 p.m. Mrs. White announced under Section 2.2-3711(A)(7), Orchard Lake would also be discussed.

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

- Section 2.2-3711(A)(3) - Acquisition or disposition of real property for economic development purposes where discussion in open session would adversely affect the County's bargaining position or negotiating strategy namely concerning the Amsterdam district (Greenfield).
- Section 2.2-3711(A)(5) - Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community in the Amsterdam (Greenfield), Buchanan, and Fincastle Districts.
- Section 2.2-3711(A)(7) - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically relating to *Virginians for Responsible Energy v. Board of Supervisors of Botetourt County*, CL 21-703, *Claunch v. Board of Supervisors of Botetourt County*, CL 22-510, *Rocky Forge Wind, LLC v. Botetourt County*, CL 21-569, all Circuit Court cases in Botetourt County, *Briar Oak Properties, LLC v. Commonwealth of Virginia*, CL 22-44, a Circuit Court case in Craig County, and the appeals of Michael C. Bousman and Wesley Hodges before the Board of Zoning Appeals, and Orchard Lake discussion.
- Section 2.2-3711(A)(8): Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice regarding the Circuit Courthouse award.

AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White  
RESOLUTION #23-07-01

Dr. Scothorn called the meeting back to order at 6:30 p.m.

On motion by Dr. Scothorn, seconded by Dr. Bailey, 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 #23-07-02

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

Before Citizen Comment Period began, Dr. Scothorn announced citizens should provide their name and magisterial district and are no longer required to provide their home address.

#### **CITIZEN COMMENT PERIOD**

Morgan Wilson, Buchanan District (Comment received via Citizen Comment Form)

*"Regarding Craig to Botetourt Rails to Trail project. This will be an economic plus to our area, likely supporting locally owned businesses associated with the trail system. It will encourage people to exercise and enjoy the outdoors, and will likely draw visitors (hikers, runners, bikers, birders, etc.) from the region and beyond to our area."*

Irene Robertson, Blue Ridge District (Comment received via Citizen Comment Form)

*"I support our local libraries and I am strongly against the banning of books. Parents should be the ones who decide what their children read, not the government."*

Penny Finn, Amsterdam District (Comment received via Citizen Comment Form)

*"I think we all agree that pornography is destructive to our community. As I understand it, the Supreme Court determined what is pornography. Perhaps a citizens committee with an attorney/judge could review the books of concern and determine if they really are pornographic. I greatly doubt that they are. (Hmmm not sure if the precedent setting offsets the appearance of the board taking action.) A difference of opinion about lifestyle is no reason to ban books. Parents have plenty of guardrails to prevent their own children from checking out books they do not like. They have no right to try to control the rest of us."*

Andrea Martens, Fincastle District (Comment received via Citizen Comment Form)

*"I wanted to send my comments in support of the Craig to Botetourt Rails to Trail project. Rail Trails are a positive addition to our communities for many reasons. They encourage people to get outdoors and connect with one another. They bring joy and opportunities to local communities and local businesses. They are a local economic driver that cannot be moved out of state. I have lived in communities with trails and those without, and the positives of rail trails far outweigh the negatives. Thank you."*

Patty Vari, Fincastle District (Comment received via Citizen Comment Form)

*"I would like to express my support of the Botetourt Board of Supervisors. I have attended a Board meeting and am impressed with the professionalism and thoughtfulness demonstrated among the Board members. I know it is a very hard job to do the work of the county and I am so grateful there are those that have taken on this responsibility. Board members must be responsive to the needs of the county as a whole and the expressed needs of individuals. This board is walking that fine line in the best way possible. In the same way, I would like to speak of my support for the Botetourt County libraries, library director, and the staff. The libraries are so important to the people of Botetourt County and we are so lucky to have the library staff we have. I have spoken with the Library Director and some staff. I am so impressed with their professionalism, ability to articulate the mission of the library, and their desire to continue to serve the needs of all persons in Botetourt County."*

Emily Williams, Amsterdam District (Comment received via Citizen Comment Form)

*"In regard to the statement issued by Billy Martin and Mac Scothorn on June 5, 2023 titled Youth Access to Botetourt County Library Materials and Parental Consent, what criteria would be used to define "graphic sexually explicit materials"?"*

Sally Field, Buchanan District (Comment received via Citizen Comment Form)

*"At the June 27 BOS meeting a woman supporting removing books from the libraries referenced a picture in a book that had a "balloon shaped like a 4" illustrating a story about a transgender child. She asked us to remember back when we were 4, how confused we would be. I have a close family member, born with "boy" parts, who is now 9. At the age of 3, almost as soon as she could talk coherently, she started telling us she was a girl. NOT that she "wanted to be" a girl, but that she IS a girl. We didn't really pay much attention, and for the next 5 years she FREQUENTLY, at least once a week, told us that she was worthless, we'd all be better off without her, she should just die, the world didn't need her. Finally, last year, her mother asked her if she wanted us to call her a girl and change her name. She IMMEDIATELY said "YES!!", so we began doing so. The suicidal threats have stopped. She no longer says she's worthless. She has blossomed into a very happy and positive child. I'll take a confused 4-year-old over a suicidal one. The choice IS that simple, and that stark."*

Peggy Davis, Fincastle District (Comment received via Citizen Comment Form)

*"I appreciate your support of the Libraries and the Librarian."*

Woody Lipps, New Castle (Comment received via Citizen Comment Form)

*"Dear Board Members, I would like to share some perspective on the trail proposal as a resident of Craig County. I am starting a basic economic analysis to see how this proposal might benefit us here in Craig. While collecting some current economic data I noticed that Craig Co, collected a little over \$24,000 in local option sales tax in May of this year. During that same month, Botetourt collected over \$300,000. My guess is that little to none of that \$300,000 was collected in the community of Oriskany. I hear a lot of opposition to this proposal from Oriskany and I started to think about their position. I'm sure they enjoy their location just the way it is. They don't need economic development because they have the good people of Daleville, Cloverdale, and Buchanan to pay the bills. We don't have a Greenfield here in Craig County and this trail just may improve our economic situation a little. If I lived in a near private enclave supported by others across the state, I might oppose development too."*

Susan Sillmon, Amsterdam District (Comment received via Citizen Comment Form)

*"I appreciate the Board's well thought out position regarding the 'attack' on our library system because of material that some people disagree with. The library system and the employees are a valuable and needed resource in our community and I ask the Board to please - stand strong and continue to do the right thing to protect access and freedom to choose what book(s) a person decides to borrow. Thanks for all you do."*

Harriet Little, Fincastle District (Comment received via Citizen Comment Form)

*"I want to send thanks and congratulations to the Board of Supervisors of Botetourt for its support of libraries and the books which some have wanted to ban that some individuals have personally found offensive. I am retired from Botetourt County School System for which I taught English at James River High School from 1981 to 2007. I sincerely believe that taking the right to read and explore ideas is vital to our freedom as citizens of The United States of America as envisioned by our forefathers. In the past, attempts to ban, and frequently burn, books has led to repressive world leaders and to the horrors inflicted upon citizens of those countries. As a teacher, I warned my students about censorship that too often led to banning to the very freedoms that our ancestors fought for in the American Revolution. The education in our public schools is being threatened in the challenging and often denial of the honest teaching of history. I am very afraid that seeking to ban books is following the same paths for the freedom to think and allowing our students to form their own beliefs and ideas. Please continue to give your support to our libraries. And, to our young people."*

Roblyn Brand, Blue Ridge District (Comment received via Citizen Comment Form)

*"Thank you for your continued support of our local BOCO libraries director and staff by allowing them to continue to serve all of us who live in this community. I feel that this is a very thoughtful and important resolution."*

Alice Duehl, Buchanan District (Comment received via Citizen Comment Form)

*"I want to thank the board for its well-considered decision to keep all the current books in the library and to support the librarians who choose and select books based on the needs of the whole Botetourt community, not just a few individuals who have decided to make an issue over certain books, where no issue existed before. You are to be commended for the thorough and excellent work you have done in this contentious situation. Clear heads have prevailed."*

Malcolm Doubles, Amsterdam District (Comment received via Citizen Comment Form)

*"I am overwhelmed by seeing the organized opposition to this project! I have been the beneficiary of being able to use and enjoy other trails in the Commonwealth and can see no legitimate reason for the opposition. I realize that there are some landowners whose property is adjacent to the proposed trail - I understand that they may have some concerns that need to be listened to and addressed. And, of course, there are those who oppose change of any kind, even change that will inure to the benefit of the entire community. That being said, I ride the Creeper Trail and see a thriving community at Damascus; I ride the Jackson River Trail and enjoy the serene setting; I ride the Shot Tower Trail. All of these afford me the opportunity to enjoy the beauty and serenity that our great outdoors has to offer. I have never seen any litter or vandalism - in fact most folks using these trails are apt to pick up litter if they see it and confine their use to the trail itself. Count me in as a strong "yes" for moving forward with the Craig Botetourt Scenic Trail!!"*

Rebecca Clark, Valley District (Comment received via Citizen Comment Form)

*"Thanks so much for the support the Board of Supervisors has offered to the library and the library staff. Please continue to remember that the library serves all the residents of Botetourt, not just a biased few."*

Karen Neal, Amsterdam District (Comment received via Citizen Comment Form)

*"It is not the place of some parents to decide what other parents allow their children to read. I stand behind the staff of the Libraries."*

Marlene Preston, Amsterdam District (Comment received via Citizen Comment Form)

*"Thank you so much for considering the resolution to support the library system, its Director, and its staff. This stance takes courage and integrity. I so appreciate your demonstrating that. Please keep in mind that SO many people support the library. You recently approved matching funds for library projects, including furniture. This kind of purchase would normally be paid for entirely through the library budget, to which you contribute. However, in this case, the Friends of the Library (all four chapters) have raised and are donating money to shoulder partial costs for the library branches. Citizens have donated books; volunteers have organized the books and staffed the book sales; and many more people have patronized the sales. Each of these people is demonstrating support for the library -- in addition to all of the people who routinely check out books and participate in our library programming. They might not come to a BOS meeting, but they're out there, hoping that the libraries can continue their good work in support of ALL of our citizens, including those who identify as LGBTQ. Thank you."*

Pamela Wiegandt, Fincastle District (Comment received via Citizen Comment Form)

*"I affirm & send fervent thanks to our Board of Supervisors for their affirmation of present & continuing County library policies & our library staff's professional responsibilities to all our citizens."*

Miichelle Patrick, Fincastle District (Comment received via Citizen Comment Form)

*"Do not believe in interfering with librarian choices to make available a wide selection of books to be available in library in Botetourt County and other areas in Virginia."*

Pamela Vaughan, Blue Ridge District (Comment received via Citizen Comment Form)

*"I would like to sincerely thank all of the Supervisors for their support of the library. As a retired teacher, parent, and grandmother, I value the public library as a place of learning and relaxation. Having been to several meetings and listening to both sides of the "banning" issue, I firmly support the library in its endeavor to bring books to all of the citizens of Botetourt County. I applaud you, the Board of Supervisors, for taking a stand to support our libraries and staff who are trying to bring a wealth of knowledge and entertainment to the public. Again, thank you. We often just want to criticize our public servants, but we should also take the time to thank each and every one for the sacrifices they make to serve our communities."*

Kathy Kerkering, Fincastle District (Comment received via Citizen Comment Form)

*"PRO: Libraries/CON: Book banning/Support the Resolution by the Board of Supervisors"*

Irene Robertson, Blue Ridge District (Comment received via Citizen Comment Form)

*"Thank you so much for passing the recent resolution in support of Botetourt County Libraries. Julie Phillips and staff do an outstanding job, and we are fortunate to have them serving ALL citizens of our community. Thank you for your support!"*

Jonnie Speight and Leonard McGee, Fincastle District (Comment received via email.)

*"Many kudos to the Board for unanimously passing the July 17, 2023 Resolution in Support of Library Director Julie Phillips, her staff, and all BOCO Library personnel. Ms. Phillips, Steve Clinton, and County Attorney Mike Lockaby each made exceptional, factual presentations at the July 17 meeting. The County's and the Library's websites also are replete with truthful, factual information. Nonetheless, misguided, ill-informed, uninformed, and/or willfully ignorant citizens continue to ignore the widely and readily available truthful facts and to bray about "pornography" and "pedophilia" existing in BOCO's libraries. They continue to spout and disseminate demonstrably false "facts." It is shameful and completely beyond the pale that Ms. Phillips and the BOCO Library staff have come under personal attack by members of our community, both in person, in local media and online. Fear does not drive these actions; ideology, misplaced/misdirected anger, intentional ignorance, and/or just plain hatefulness do. These citizens are wasting County taxpayers' money and Board members' time. Their claims have been heard and debunked -- repeatedly and soundly. We are 100 percent in support of the Board's July 17, 2023 Library Resolution. We are proud of the Board for unanimously passing the Resolution. Stay strong, and please continue to unequivocally support BOCO libraries, Ms. Phillips, and her staff."*

Pastor Jay Robinette, Amsterdam District (Comment received via postal mail.)

*"Dear Board of Supervisors, I am Jay Robinette. I pastor Grace Bible Church in Daleville, VA. I am writing to you to express my deepest concern over certain books that have been placed in our county library. Some of the titles are, "This Book is Gay", "Flamer", "The Every Body Book", and "Making a Baby". These books are very inappropriate for adults much less children. The books meet the definition of pornography. I am writing to ask that these books and others like them be removed from our library permanently. I spoke with several residents of Botetourt County as well as my congregation and everyone agrees that these books should not be made available to our children and should not be in our library. I served our County in the Army and was a medical specialist in Vietnam. I helped defend our freedoms. Exposing our children to pornography and immorality is not freedom. It is the indoctrination of evil. If we continue to expose our children to the immoral material contained in these books, what will we expose them to next? We as adults are supposed to be guardians of our children and teach them the difference between right and wrong. What message are we sending to our children when we flip flop and tell them pornography and immorality is now accepted? Our county library should be a safe place for our children to attend. Who or what group thought it was a good idea to place these books in our library? Asking you to remove these books is not about book banning as much as it is protecting our children from evil indoctrination. I serve with WEAREBRACE, a committee that is working hard to have these books removed. We have no plans to discontinue our efforts until you decide that the best and most recent decision is to permanently remove these books from our library."*

Ronald Heavner, Fincastle District

Mr. Heavner stated he was concerned that several months ago he saw drilling equipment on the Roanoke Cement property. He stated when he first moved out there, he met the vice-president's wife as she was picking up garbage along Catawba Road. He stated she assured him that he would never have to worry about them coming toward his direction, however, he now has serious concerns because he has read about where they have done business before and there were problems. He stated he realizes they have spent an enormous amount of money and provide a lot of jobs, but when you start talking about "moving that big hole", he has real concerns about the noise from drilling. He stated he wasn't sure if anything could be done about it, but he doesn't want to hear drilling all night long.

Christine Liana, Amsterdam District

*"Good evening; I address the Board, the County Administrator, Deputy Administrator, Library Director, and County Attorney. I'd like to again clarify some misconceptions: You were wrong when you implied the books are popular because of frequent check-outs. As we stated before, people are also checking these books out to get them off the shelves and away from children. Your supporters falsely accuse us of hating the LGBTQ demographic. The national organization Gays Against Grooming recognizes this child exploitation and stands up against it. Your supporters falsely accuse us of being "book banning Nazis." Slander, under the law, is illegal. May we remind you, yet again, the ALA President Emily Drabinski proudly declared herself a Marxist Communist – the one who influences public libraries. Your supporters falsely claim we're a bunch of right-wing Christians. In reality, the Christians, Jews, Muslims, atheists and agnostics see this perversion for what it is and speak out against it. Your supporters complain their right to "free speech" is under attack. These are lies, and they're a smoke screen diversion from the REAL issue – which is setting Community Standards boundaries for materials that are acceptable and accessible to children and teens. The Botetourt County Library Director said that since many of these books are cataloged from Roanoke County, they can't be removed except by Roanoke. Our Lieutenant Governor confirmed that you as Board of Supervisors makes rules that govern OUR County, they CAN find a way to reject these harmful books that come to our youth through its reciprocal agreement with Roanoke. Amy White, at the June 27 meeting, you DENIED this problem, ADMONISHED you and the Board's constituents - the 1,300 County citizens for calling out these sexually explicit and perverted books for the evil they are, and you proceeded to DEFLECT by suggesting that we turn our focus away from this problem and get involved with community activities. Your comments were arrogant, dismissive, and disrespectful. You said you saw or reviewed these books and found no problem with them. You didn't say which books you reviewed. But enough of that. We appreciate you listening to the facts we presented to you for seven months now, and we'd like to thank you for that. So on behalf of all those who support "Freedom to Read" –and these books coming from the "reputable publishers" that you buy from, the books that we presented to you earlier: "Gender Queer" endorsed by the ALA that won the Alex Award for books for teenagers, showing illustrations of kids having oral sex, "Sex Uncensored" by Nikol Hasler that informs teens how to engage in all methods of sex, sexting pornography, etc., "Making a Baby" for children that shows a young boy in a shower with two naked men showing their genitals. County residents identified this as attempting to normalize adult sexualization of children to normalize pedophilia, which the United Nations is involved in; "The Every Body Book" for children that shows children as young as age 8 illustrations of condoms for how to have sex, same-sex couples in bed, and a pregnant man, "Rainbow Parade" that shows naked people, two men in bondage holding hands, a naked man with balloons covering his dick, all in a parade in front of children, "Be Yourself" that tells children they can be a different gender from how they were born, multiple genders, or no gender. So, on behalf of the "Freedom to Read" advocates of these books, we'd like to present you with a gift of these books - these will be in the mail to you direct from Amazon tomorrow."*

Terri Brockly, Valley District

Ms. Brockly stated she was in 100% agreeance with Ms. Liana's comments and she did not understand why the county could not remove pornography from the libraries when other states have done it.

Ruth Sellers, Fincastle District

Ms. Sellers stated they have been going through so many things the past few months and it's getting to the point now where they do not witness any of the superiors doing anything to see

their point of view. She stated this discussion actually started 23 years ago with Terry Austin. She stated the cost of this trail is about \$35 million dollars, which is not easy to come by. She stated we are now talking about a trail that involves bicycles, horsemen, hikers, and more and everybody in this country is going to be paying more taxes because of it because one county can't afford this. She explained her concerns with safety issues and stated the trail is a very difficult situation, not because she lives on this state road, but because of the safety issues.

Vickie Graham, Fincastle District

*"In regard to the proposed Craig Botetourt Trail: We have been labeled as the "frenzied opposition". Supposedly, we are too worked up about the part of the proposed trail that serves as an emergency route out of Oriskany. I, as an opponent, have said northern more than what I have heard the VDOT project manager say on more than one occasion; there may be locked gates barring vehicles from that section of the trail. No, it is not a definite and I have never claimed that it was. Yes, supposedly, the people of Oriskany will have access to that portion of a trail in times of flooding. That is, if the person in charge of the key is aware of the situation, or can be found, or brings it from wherever. I ask you, Board members and public, would you want to rely on such an arrangement in times of an emergency? No one is disrespecting the process of trail building. Again, I ask you and the public a question, are you aware there are two public meetings in September to discuss the issue? One is in New Castle and one in Eagle Rock. This information may not have appeared in the newspaper yet. Will you see it if it does? Not everyone reads the newspapers like they did 15 years ago. Therefore, I see the function of the opposition as one of informing. Would someone in Fincastle realize that as proposed, the trail would be on 11 miles of state roads with no separation from vehicular traffic? Would someone from Daleville realize that it may take emergency services an hour to get to an incident on the trail? How long does it take for an ambulance to get to Daleville? Does someone from Buchanan realize there is no cell phone service in Oriskany or along most of the trail? Do the citizens of Botetourt County realize that as a citizen of Virginia, it is their tax dollars that would build a trail and four others in the State? Do they realize nobody can tell them who will pay to keep it maintained? These are concerns the average person needs to be made aware of when they hear "trail" and say, "Oh, wouldn't that be nice?". So yes, lets the process take place. This, public discourse, is part of the process. And, I didn't realize there is a set timetable for such a thing."*

Jim Stadtlander, Fincastle District

*"At first when one hears the concept of this trail, they think how bad can a trail be? Then we zero in on the details. Today I want to comment on it in a more broad form. What is this trail? What's its driving force? Let's call it for what it is. It's a catalyst for tourism to bring more money. Technically you can't say tourism is a business, it's not a singular thing like a "restaurant". So, tourism is more like an industry. This trail will go thru a multitude of scenarios, but mostly in bad ways: back yards, roads, right next to houses, and thru farms. All of these areas are zoned rural, agricultural, or residential. It is why the people live there. You are wanting to expand an industry into an area where it never existed before. An industry that can only exist if a trail is created. It's not a restaurant they will come for, it's a trail. The trail is the focus item of the business, placed right in the middle of everyone's life. Every single buyer is out there using it. It is a sneaky way to get around rezoning an area to accommodate business. I've mulled this concept over many times...is it a silly half-baked notion? Recently I came across information that Botetourt County had created. It's called the "Botetourt County Strategic Trail Plan". Did you catch that word: "Strategic". Make no mistake, its purpose is for trails. In condensing what I found, there is a section about Threats to Trail Planning. That's right.... "Threats". Then...under that is listed "Zoning Restrictions". Zoning Restrictions are a threat to*



*trails, and the county wants trails. Ouch...right there in print. The County sees one of the things that is to help protect us, as a problem. The lives and property of everyone along this corridor will be changed by this way of thinking. The county has a notion to do whatever it wants whenever it wants. Don't tell the people what's going on....just do it. Oooops... "Cats out of the bag" as the title in the paper said. How true that statement was. Indications are you would have liked to keep it in the bag a lot longer, till more was done."*

### **CONSENT AGENDA**

- a) Minutes of June 15, 2023, June 27, 2023, and July 17, 2023 meetings
- b) Noise Ordinance Variance Request from Nick Faught
- c) Noise Ordinance Variance Request from Kevin Peery

MOTION: That the Board approve the consent agenda items, as presented.

MOTION: Dr. Bailey

SECOND: Mr. Martin

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

RESOLUTION #23-07-03

### **APPROVAL OF TRANSFERS AND APPROPRIATIONS**

For the month of July, there were three transfer requests, with the first two representing quarterly transfers. Transfer #3 was a transfer of budgeted funds from the Salary Adjustments line that applies funding for compensation adjustments that were included in the FY24 Budget and were effective July 1, 2023. The transfer figure includes providing for associated fringe benefits.

With respect to appropriations, there were five pass-through items and two regular appropriations requested. The pass-through appropriations represented expenditure reimbursements, miscellaneous receipts, donations, and use of grant fund and discrete fund dollars. Appropriation #6 brought the FY24 total budget to the required funding amount for the Local Health Department, while appropriation #7 was for the purchase of temporary fencing for the Botetourt Sports Complex.

1. Transfer \$313.46 to Central Purchasing – Pool Car Transfers, 100-4012530-12530-6020-000, from various departments as follows for fuel usage:
  - \$ 2.80 Co. Admin.–Veh. & Power Equip. – Fuels, 100-4012110-12110-6008
  - \$22.68 Central Garage–Veh.Power Equip – Fuels, 100-4012560-12560-6008
  - \$87.64 Techn'y Svces – Veh &Pwr Equip – Fuels, 100-4012510-12510-6008
  - \$ 3.08 Emerg Comm - Veh & Power Equip.– Fuels, 100-4035600-35600-6008
  - \$89.46 Comm. Dev't–Veh & Power Equip – Fuels, 100-4081200-81200-6008
  - \$107.80 Econ.Dev't – Veh & Power Equip – Fuels, 100-4081500-81500-6008
2. Transfer \$380.00 to Central Purchasing – Store Supplies, 100-4012530-12530-6021-000, from various departments as follows for store supplies usage:
  - \$ 80.00 County Admin – Office Supplies, 100-4012110-12110-6001
  - \$ 40.00 Human Resources – Advertising, 100-4012220-12220-6001
  - \$160.00 Treasurer – Office Supplies, 100-4012410-12410-6001
  - \$ 20.00 Registrar – Office Supplies, 100-4013300-13300-6001
  - \$ 25.00 Parks & Recreation – Office Supplies, 100-4071100-71100-6001
  - \$ 40.00 Sports Complex – Office Supplies, 100-4071300-71300-6001
  - \$ 15.00 Library – Office Supplies, 100-4073100-73100-6001

3. Transfer budgeted funds of \$1,616,780.00 from Salary Adjustments, 100-4091000-92500-0000-000 to Wages & Benefits, Various Departments. This transfer addresses compensation adjustments that align with salary and related benefits adjustments approved by the Board of Supervisors as part of the FY24 budget adoption.

PASS-THRU APPROPRIATIONS:

1. Additional appropriation in the amount of \$955.01 to the following Correction & Detention Department accounts: \$400.00 to Food Supplies, 100-4033100-33100-6002, and \$555.01 to Medical & Lab Supplies, 100-4033100-33100-6004. This is for social security incentives and medical co-pays.
2. Additional appropriation in the amount of \$2,161.41 to the following Sheriff's Department accounts: \$1,453.42 to Firing Range Expenses, 100-4031200-31200-6015, and \$707.99 to Overtime Wages, 100-4031200-31200-1200. These funds are for a state grant and various reimbursements of expenses.
3. Additional appropriation in the amount of \$217.78 to the following Sheriff's Department accounts: \$69.75 to Subsistence & Lodging, 100-4031200-31200-5530, \$20.00 to Other Operating Supplies, 100-4031200-31200-6014, and \$128.03 to Office Supplies, 100-4031200-31200-6001. These are for donations, miscellaneous receipts, and FOIA requests.
4. Additional appropriation in the amount of \$600.00 to Correction & Detention – Pathway Home Funds, 100-4033100-33100-5865. These are funds received from TAP (Total Action for Progress) as subrecipients of a grant for inmate participation in the Pathway Home program.
5. Additional appropriation in the amount of \$7,000.00 to the E-Summons Fund – Fund 213. This provides the authorization to expend these funds based upon predetermined expenditure guidelines.

REGULAR APPROPRIATIONS:

6. Additional appropriation in the amount of \$17,776.00 to Local Health Department, 100-4051000-51100-3800. This amount accounts for the residual figure added to the FY24 budget estimate and covers the signed Agreement with the Virginia Department of Health for providing FY24 funding to the Botetourt County Health Department.
7. Additional appropriation in the amount of \$27,422.50 to Botetourt Sports Complex - Parks & Recreation – Capital Outlay – Other Capital, 100-4071300-71300-8012. This appropriation is for the purchase of two (2) temporary fences for the Complex. Two other fences were previously purchased. This appropriation is covered by FY23 Complex budget savings.

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

MOTION: Mr. Clinton

SECOND: Mrs. White

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

RESOLUTION #23-07-04

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

Total expenditures requested for approval for July for the General Fund including debt service and all other funds was a combined total of \$2,332,929.04. Payable disbursements of note for the month were as follows:

Fire & EMS	\$118,174 paid to VFIS for annual insurance coverage for three policies.
Fire & EMS	\$54,535 paid to Berglund Chevrolet for a 2024 Chevrolet Silverado
Parks & Rec	\$38,400 paid to Benchmark Tool & Supply for a motorized infield groomer & laser grader
Regional Organizations	\$46,929 paid to Visit Virginia's Blue Ridge for annual funding. This is payment 1 of 4
Regional Organizations	\$33,642 paid to the Roanoke Valley Alleghany Commission for FY24 Dues
Regional Organizations	\$35,052 paid to the Roanoke Regional Partnership, representing semiannual support funds
Transfer to EDA	\$81,500 paid to EDA of Botetourt County to transfer the County portion of a Business expansion incentive to Altec Industries \$87,500 paid to EDA of Botetourt County to transfer the State portion of a Business expansion incentive to Altec Industries \$40,400 paid to EDA of Botetourt County to transfer the County retainage portion of its broadband grant to Lumos Networks.
Local Health Dept.	\$98,192 to the Botetourt Health Dept. for the first quarterly operational support payment.

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

MOTION: Dr. Bailey

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-05

**CONSIDER APPROVAL OF SUPPLEMENTAL APPROPRIATION RESOLUTION TO FUND PROJECTS NOT COMPLETED IN FY23 IN THE FY24 BUDGET**

Mr. Zerrilla stated the appropriations expired on June 30, 2023; however, these projects will carry over into Fiscal Year 2023-2024. It is recommended that these appropriations be approved by the resolution shown below:

**NOW, THEREFORE, BE IT RESOLVED**, that the following appropriations for Fiscal Year 2023-2024 are made to allow carry-over of approved funding begun in Fiscal Year 2022-2023:

<u>Destination Acct #</u>	<u>Account Description</u>	<u>July 2023 Amount</u>	<u>Explanation</u>
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100-4094000-43000-8012-604	CIP - Paving, sealing, striping lots	\$173,800.00	Project continuing in FY24
100-4094000-33100-8012-330	CIP - Regional Jail - Boiler Venting	\$157,880.00	Project continuing in FY24
100-4094000-81510-9402-405	CIP - Infrastructure Improvements	\$8,200.00	Project continuing in FY24
<b>TOTAL</b>	<b>General Fund Total</b>	<b>\$339,880.00</b>	

MOTION: That the Board approve the supplemental appropriation resolution to fund projects not completed in FY23 in the FY24 Budget, as presented.

MOTION: Dr. Bailey

SECOND: Mr. Martin

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

RESOLUTION #23-07-06

**PROCLAMATION RECOGNIZING SEPTEMBER 17-23, 2023 AS CONSTITUTION WEEK**

Mr. Clinton introduced Betty Holt as the Regent for the Botetourt County Chapter of the Daughters of the American Revolution (DAR).

Ms. Holt came forward and read the following statement: *“Thank you Dr. Scothorn, Mr. Clinton, Mr. Martin, Dr. Bailey and Mrs. White for allowing me to speak tonight. I would like to introduce Other members of our chapter who are present with me tonight. They are Kathy Austin, Angela Coon, Beth Pappas, Harriett Little, Emily Talbott-Guillote, and Ann Layman. For more than a century, the members of the National Society Daughters of the American Revolution have dedicated themselves to historical preservation, promotion of education, and encouragement of patriotic endeavor. These goals are as relevant in today's society as they were when the organization was founded in 1890. On September 17, 1787, at Independence Hall in Philadelphia, 39 delegates at the Constitutional Convention signed the Constitution of the United States of America. These individuals spent four months creating and approving this document, which outlined a framework for the federal government of the new republic. The tradition of celebrating the Constitution was started by the Daughters of the American Revolution. In 1955, DAR petitioned Congress to set aside September 17-23 annually to be dedicated for the observance of Constitution Week. The resolution was adopted by the US Congress and signed into public law on August 2, 1956 by President Dwight D. Eisenhower. The aims of the celebration are to:*

1. *Emphasize citizen’s responsibilities for protecting and defending the Constitution.*
2. *Inform people that the Constitution is the basis for America’s great heritage and the foundation for our way of life.*
3. *Encourage the study of the historical events which led to the framing of the Constitution in September 1787.*

*Constitution Week is a great time for all of us to learn more about this important document and to celebrate the freedoms it has given us. We encourage the residents of Botetourt County to fly their American flag between September 17 and September 23.”*

Ms. Holt then read the following proclamation for the Board’s consideration:

***A Proclamation Recognizing September 17-23, 2023 as Constitution Week***

**WHEREAS**, September 17, 2023, marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Botetourt County, Virginia, do hereby proclaim the week of September 17 through 23 as

**CONSTITUTION WEEK**

**AND** ask our citizens to reaffirm the ideals of the Framers of the Constitution in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

**NOW, THEREFORE BE IT FURTHER RESOLVED** that the Botetourt County Board of Supervisors recognizes September 17-23, 2023 as Constitution Week.

**UNANIMOUSLY ADOPTED** this 31<sup>st</sup> day of July 2023.

Mr. Clinton thanked the Board for their consideration and support of the proclamation and stated we all know the Constitution changed humanity in many ways.

MOTION: That the Board authorize the proclamation recognizing September 17-23, 2023 as Constitution Week.

MOTION: Mr. Clinton

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-07

**7:00 P.M. PUBLIC HEARING – CONSIDER AMENDMENTS TO FY24 BUDGET**

As per the provisions of Section 15.2-2507 of the Code of Virginia, any proposed amendment which exceeds one percent of the total expenditures of the adopted budget must be advertised and have a public meeting held on the proposed budget amendment. This public hearing was advertised on July 19, 2023.

The requested budget amendment items below related to items that were previously included in prior years' budgets that require new appropriations since previously approved appropriations expired on June 30, 2023. There was no new funding being requested.

**Budget Amendment A – Amount: \$26,720,280.00**

This was for the appropriation for the remaining proceeds for the Circuit Courthouse Renovation project. Current Proceeds balance less items that will be paid and charged to Period 13 –

FY23. Amount available includes interest and was assisted by the coverage of certain pre-construction costs paid by the General Fund. The request represents the 6/30/23 proceed balance less accrued invoices to be charged to FY23.

**Budget Amendment B – Amount: \$4,665,242.07**

This was for appropriation of the remaining portion of ARPA (American Rescue Plan Act) funding installments (\$6,491,249.00) received by the County. A total of \$1,826,000.00 will be utilized in FY23 for reimbursement of public safety wages and benefits expenditures, and the remaining funds would be utilized in the same fashion.

**Amount: \$30,000.00** This appropriation is for ARPA funding received for a Tourism grant. Remaining portion of ARPA payments to the County after carving out \$1,826,000 in reimbursed public safety wages and benefits expenditures for May and June 2023 that will be transferred to the General Fund at the end of July. The Tourism grant is a separate grant. These funds transferred can then be utilized for the current DHCD/BOTCO/LUMOS Broadband project and other strategic projects. The Tourism grant is a stand-alone ARPA grant.

**Budget Amendment C – Amount: \$1,737,937.00**

This was for the 1) the reappropriation of funds for previously budgeted apparatus and Fire & EMS vehicles, and 2) a re-appropriation of FY23 budgeted items for an ambulance and funding for the response Vehicle Rollover Plan. Amount represents \$1.4 million of Fire & EMS apparatus budgeted items that had accumulated in FY22. The \$1.7 million also includes rollover for FY23 items: Ambulance (\$313,000) and Response Vehicle Rollover Plan (\$68,000). The apparatus includes two tankers (prepaid) the refurbishing of another tanker, a Supervisor pickup, and a medic unit ambulance. The size of the carryover requests are due to extensive lead times on virtually every capital purchase that is made. The prepaid items require an appropriation due to accounting practices as per County auditors.

**Budget Amendment D – Amount Advertised; \$919,150.00 Revised: \$377,650.00**

This appropriation is for EDA- related CIP Business-Ready site expenses. Amount represents: EDA-related CIP Business-ready site grants (\$410,000), Funding for Lot 3 appropriated in FY23 (\$359,150), and Community Facility Plan (\$150,000). This appropriation was to provide the County's match to a Virginia Ready Site Program grant. The grant is related to engineering due diligence and construction of an access road and sewer utility to serve Lot 3, a 121-acre site at Botetourt Center at Greenfield.

**Budget Amendment E – Amount: \$846,832.97**

This beginning-of-year appropriation is for the use of funds that are contained in several discrete funds

As done each July, reappropriation of Discrete Funds:

Asset Forfeiture (C/A)	\$ 33,956
Traffic Safety	\$200,000
Property Seizure (S/O-State)	\$ 33,463
Courthouse / Ctroom Security	\$251,018
Criminal Processing Fund	\$ 11,911
Courthouse Maintenance	\$ 80,538
Property Seizure (S/O- Fed'l)	\$ 5,372
Greenfield Preservation	\$ 88,667
Community Outreach	\$ 34,000
Opioid Abatement	\$107,907

These funds are regularly appropriated at the beginning of each fiscal year.

**Budget Amendment F – Amount: \$472,630.00**

This appropriation was for the remaining balance of budgeted funds included in the FY23 budget for Assessor Department to be carried over for activity that will take place in FY24. Remaining balance of FY23 Assessor budget (after accruals) carried over to FY24. Total FY213 Budget = \$539,450 less invoices for FY23 services = \$66,820 = \$472, 630 reappropriation.

**Budget Amendment G – Amount: \$234,209.41**

This appropriation was for the FY24 beginning balance in the Fire & EMS Capital Reserve Fund. The total budget amendment being requested was \$35,084,781.45. Current balance in Fire & EMS Capital Reserve Fund. These funds were approved but not appropriated in FY23.

Dr. Scothorn declared the public hearing open.

Terri Brockly, Valley District

Ms. Brockly asked if there were any carryover monies with VDOT for the County and would we get any carryover money from last year for this budget. Mr. Zerrilla replied he would have to go back and see if there was any included in the Capital Improvement Plan. Ms. Brockly asked if there is extra money, and if VDOT is going to pave Hunt Ridge, why not pave Hill View since it connects to Hunt Ridge. She stated there is a quarter mile section of road in Botetourt County (Hill View) that needs to be paved and if VDOT is paving all of Hunt Ridge, why not get the section of Botetourt County down to 220 done at the same time.

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

MOTION: That the Board approve an appropriation for the remaining proceeds for the Circuit Courthouse Renovation in the amount of \$26,720,280.00 to Courthouse Construction Costs-Capitalized, 315-5002027-00000-0000-610.

MOTION: Mrs. White

SECOND: Dr. Bailey

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

RESOLUTION #23-07-08

MOTION: That the Board approve an appropriation for ARPA funds in the amount of \$4,695,242.07 appropriated as follows: \$4,665,242.07 to American Rescue Plan Act of 2021 Part 1 Expenses, 261-5002030-00000-000-000, and \$30,000.00 to American Rescue Plan Act of 2021 - Tourism Grant, 261-3330262-00000-0000-000.

MOTION: Mr. Clinton

SECOND: Mr. Martin

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

RESOLUTION #23-07-09

MOTION: That the Board approve an appropriation for Fire & EMS apparatus and vehicles in the amount of \$1,737,937.00 to Fire & EMS – Capital Outlay – Motor Vehicles / Vehicle Equipment, 100-4035500-35500-8005-000.

MOTION: Dr. Bailey

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-10

MOTION: That the Board approve an appropriation for costs associated with business- ready site expenses in the amount of \$377,650.00 to Transfer to EDA, 100-4091800-91800-3800-000.

MOTION: Mr. Clinton

SECOND: Dr. Bailey

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

RESOLUTION #23-07-11

MOTION: That the Board approve an appropriation in the amount of \$846,832.97 broken down as follows:

<u>Fund 204 – Asset Forfeiture (C/A)</u>	<u>\$ 33,956.91</u>
<u>Fund 206 – Traffic Safety Fund</u>	<u>\$ 200,000.00</u>
<u>Fund 212 – Property Seizure (S/O-State)</u>	<u>\$ 33,462.79</u>
<u>Fund 217 – Courthouse/Ct.Room Security</u>	<u>\$ 251,017.81</u>
<u>Fund 218 – Criminal Processing Fund</u>	<u>\$ 11,911.20</u>
<u>Fund 216 – Courthouse Maintenance</u>	<u>\$ 80,538.10</u>
<u>Fund 210 – Property Seizure (S/O-Federal)</u>	<u>\$ 5,372.45</u>
<u>Fund 240 – Greenfield Preservation Fund</u>	<u>\$ 88,666.72</u>
<u>Fund 255 – Community Outreach Fund</u>	<u>\$ 34,000.00</u>
<u>Fund 256 – Opioid Abatement Fund</u>	<u>\$ 107,906.99</u>

MOTION: Dr. Bailey

SECOND: Mr. Clinton

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

RESOLUTION #23-07-12

MOTION: That the Board approve an appropriation in the amount of \$472,630.00 to Assessor broken down as follows: \$471,630.00 to Assessor – Professional Services, 100-4012320-12320-3100-000, and \$1,000.00 to Assessor – Office Supplies, 100-4012320-12320-6001-000.

MOTION: Mr. Martin

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-13

MOTION: That the Board approve an appropriation in the amount of \$234,209.41 to Fire & EMS Capital Reserve Fund, Fund 310.

MOTION: Dr. Scothorn

SECOND: Mr. Martin

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

RESOLUTION #23-07-14

Dr. Scothorn announced an addition to the agenda for “Consideration of a request from the school division to utilize school Capital Reserve Fund in excess of the threshold approval amount of the County Administrator.”



**CONSIDERATION OF A REQUEST FROM THE SCHOOL DIVISION TO UTILIZE SCHOOL CAPITAL RESERVE FUND IN EXCESS OF THE THRESHOLD APPROVAL AMOUNT OF THE COUNTY ADMINISTRATOR**

Mr. Zerrilla explained on July 6, 2023 the County Administrator received a request from Brandon Lee, School Director of Finance. The request was to spend School Capital Reserve Funds for six (6) school buses. This is to work towards the Botetourt County Public Schools Capital Improvement Plan. The amount of the request was \$643,854.00, which exceeded the prescribed \$150,000.00 threshold that the County Administrator can solely approve for use of School Capital Reserve funds. Per the guidelines of the School Capital Reserve Fund Policy, any request for use of these funds in excess of \$150,000.00 must be considered for approval by the Botetourt County Supervisors. The balance in the School Capital Reserve Fund is currently \$1,510,713.94 and it was noted these are not additional funds, and the school division has these funds in hand already. Mr. Zerrilla recommended approval of the request.

MOTION: That the Board approve the request from the school division to utilize school Capital Reserve Funds for six school buses in the amount of \$643,854.

MOTION: Mr. Martin

SECOND: Mrs. White

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

RESOLUTION #23-07-15

Dr. Scothorn announced Citizen Comment Period would again resume.

Molly O'Dell, Buchanan District

*"Chairman and Board members, thank you for your work. I know what it's like. I just want to applaud the Board's decision to allow all people, young and old, to see themselves reflected in our libraries. I support the idea that parents make decisions for what their children read, but not other parents' children. I'm excited to see the new ways libraries in Botetourt are engaging citizens, like the Stars Activity at the YMCA and the plan for outdoor equipment checkout at the Buchanan Library. Limiting library book offerings does not protect anyone from life's complex and challenging issues and I appreciate your understanding. Thank you."*

Evelyn Thornton, Buchanan District

*"Mr. Chairman. Thank you Board. As a mother of two, I want to affirm my belief in the dignity of all children and I, as a parent, want to teach my children what makes sense to me and for other parents to have the freedom to do the same. I believe that parents should do their job, and librarians should do theirs. I appreciate that some parents think they know what is best for all of our children, but I believe that parents should parent and librarians should stock shelves. Thank you for your support."*

Alex Stewart, Buchanan District

Mr. Stewart stated his daughter got her library card on her 4<sup>th</sup> birthday and she was extremely excited. He reported every librarian he had come in contact with has been wonderful, helpful, thoughtful, engaging and had helped him to further his daughter's education. He stated he was very shocked to hear about a campaign of citizens to take control over the libraries when we have excellent library staff to rely upon and that it is an unconscionable attempt to misuse representational democracy to try to assert their own moral sense of propriety onto others. He stated freedom of speech is most important for the most controversial pieces of speech and for people to try to use "out of context" examples, or click bait, against the people that he knew to be dedicated to helping his family, was appalling. He stated it was up to the Board to resist any

attempt to take away our free speech as this is a First Amendment right. He stated the Board must stand up for free speech and free access to free speech in Botetourt County.

Marty Jenkins, Fincastle District

Ms. Jenkins stated that a citizen had provided a picture to the Board the month before to see if anyone was able to see the van in a cloud of dust, but the van could not be seen because of the thick dust. She stated this is what is found on this road. She stated along with their spandex, fancy bikes, and running shoes, there is something else folks will need to add to their attire, a good respirator and goggles.

Charles Ruhl, Fincastle District

Mr. Ruhl suggested when there is a large crowd in attendance there should be a reserved section for speakers. He stated there were teens in the room so he would not quote anything from the sexually explicit books. He stated there are now eBooks available, so one doesn't need to go to the library to read it, they can read it straight from their phone or computer, regardless of their age. He stated he is a part of an organized group called "BRACE.org" to stop these books from being available to children. He stated the language in the books is sexually exciting, which is the definition of pornography.

Jackie Lynch, Valley District

Ms. Lynch stated during the July 17 Board meeting, the County Attorney gave his opinion about the library problem, but citizens have sent letters on all the reasons why he was incorrect. She stated there are laws protecting children from obscenity on the internet. She stated libraries around the country are successful with cleaning up their catalogs without worry of laws and we should not be living in fear of a letter from ALA or ACLA stating there will be a lawsuit because there are no cases they have won. She stated the Board has the authority to act and they have 1,300 petitioners on their side and will back them up. She encouraged the Board to clean up our libraries and solve the problem.

Lindsay Nair, Amsterdam District

Ms. Nair stated she appreciated the opportunity to weigh in on this topic. She stated the Board had done more than its due diligence for the last six months. She stated during the July 17 Board meeting the attorney presented factual information, and she trusted both his information and the law. She noted there were specific cases where books were removed and it costs the taxpayers a lot of money. She stated she has benefitted from public libraries since she was a child and, in fact, has a degree in English. She stated she values the library for the wide variety of books, not just those that entertain her interests. She stated it was time to put this topic to rest and move on to other issues that affect this community.

**DISCUSSION OF BOARD STATEMENT REGARDING LIBRARY CONCERNS**

Dr. Scothorn stated he planned to recommend a policy change to the Library Board to consider. He read the proposed policy and emphasized this was not for approval by the Board of Supervisors, but rather would be presented to the Library Board of Trustees.

In response to the Board's consensus during the July 17 meeting to consider a resolution regarding County libraries, a resolution was presented for consideration. Each Board member read a section of the resolution supporting First Amendment and parental rights. The resolution was as follows:

**RESOLUTION IN SUPPORT OF THE PROTECTION OF CITIZENS' FIRST AMENDMENT  
AND PARENTAL RIGHTS IN BOTETOURT COUNTY LIBRARIES**

**WHEREAS**, a public library provides a broad variety of materials, subjects, and viewpoints that enable citizens of all demographics to better understand and navigate a complex world; and

**WHEREAS**, the freedom to read and access information is protected by the First Amendment to the Constitution of the United States of America; and

**WHEREAS**, the public library is a uniquely American institution established to support and protect the free flow of information and ideas vital to a strong, functioning democratic republic; and

**WHEREAS**, the Botetourt County Library operates under collection development policies that include procedures and guidelines for the selection and deselection of material, considering the diverse needs and expectations of citizens in the Botetourt County community; and

**WHEREAS**, these established policies and procedures provide clear means for individuals to request reconsideration of library materials, with processes to ensure that the best interests of the entire community are considered when evaluating library content; and

**WHEREAS**, the Botetourt County library staff includes people with advanced degrees, all of whom receive extensive professional training, making them uniquely qualified to develop collections based not on librarians' personal preferences or beliefs, but rather designed to meet the broad and varied interests and needs of their communities; and

**WHEREAS**, Library staff take active measures to ensure that no obscene materials, as defined by Section 18.2-372 of the *Code of Virginia*, 1950, as amended, and the case *Miller v. California*, 413 U.S. 15 (1973), are introduced into the Botetourt County Library collection; and

**WHEREAS**, the library purchases only from reputable vendors that are legally restricted from selling and distributing materials determined by state and federal law to be obscene; and

**WHEREAS**, the Botetourt County Library does not impose value judgments about materials, and therefore does not segregate, rate, label, or otherwise indicate approval or disapproval of contents, or inhibit access to materials; and

**WHEREAS**, materials requested from other library systems through the Roanoke Valley Libraries consortium or interlibrary loan are delivered privately to individual requestors; and

**WHEREAS**, the Botetourt County Library's youth collections contain content that has been identified by publishers and reviewers as intended and appropriate for those audiences, and that the Library provides these materials for a broad variety of families with differing needs and values; and

**WHEREAS**, all Botetourt County Library materials may be found in the Library's online catalog, ensuring full collection transparency and the ability to preview titles for suitability; and

**WHEREAS**, Botetourt County Library staff and librarians are available to assist all patrons in locating materials that suit their personal preferences and values, without bias; and

**WHEREAS**, the Botetourt County Library requires that all children under age 13 must be accompanied by a responsible adult aged 18 or older while in a library facility; and

**WHEREAS**, said adult is responsible for all the child's activities in and access to library spaces, resources, services, and events; and

**WHEREAS**, no child under the age of 18 may obtain a library card without parental or legal guardian approval and parents or legal guardians have full access to and control of their child's library account until they turn 18; and

**WHEREAS**, parents and legal guardians are guaranteed the right by the First Amendment to determine what their own children may read or access, but do not have the right to determine what all children may read or access, or dictate what other parents may allow their children to read or access.

**NOW THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors:

- Actively supports and defends citizens' First Amendment rights, including the right to read and access information freely and to form their own opinions;
- Defends parental rights to choose content that is suitable for their own families and children, but not to determine what is appropriate for other families and their children;
- Affirms the Botetourt County Library's existing practices to protect minors by providing for collection transparency and parental/guardian access and control in minors' use of library materials, services, resources, and events;
- Supports the Botetourt County Library's existing policies and procedures guiding the selection and deselection of materials reflecting the needs and interests of the community, without discrimination against or preference to specific individuals, groups, or viewpoints; and
- Affirms the Botetourt County Library's vital role in protecting citizens' constitutional and parental rights and enabling all citizens to understand and navigate a complex world.

Adopted this 31<sup>st</sup> day of July 2023.

MOTION: That the Board adopt the resolution in support of First Amendment rights and Parental Rights.

MOTION: Mr. Clinton

SECOND: Mrs. White

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

RESOLUTION #23-07-16

(Note: Later in the meeting, Mr. Clinton announced that he misspoke while reading the resolution stating anyone under the age of 18 was required to have adult supervision in the library. He clarified the resolution stated the age of 13. He apologized for the confusion and wanted to clarify the correct age of 13.)

### **UPDATE FROM MALLORY WHITE, PRESIDENT OF THE BOTETOURT FARMERS MARKET**

Dr. Mallory White was introduced by Vice Chair White. Dr. White highlighted the front-page article in that week's Roanoke Times recognizing the Tomato Festival, hosted by the Botetourt County Farmers Market. She also noted this was the 10<sup>th</sup> year of holding the Farmer's Market at the Daleville Town Center. Dr. White discussed the past year noting they had a lot of turnover with their Board; however, all current Board members are either a vendor, an owner of

a small business, or works for a small local business. She noted the Daleville Town Center was extremely wonderful to work with, stayed in constant contact, and she was very happy to work with them. She explained there was some misinformation going around but they have addressed those issues with more transparency on their website and social media, and also creating an “FAQ” page. She noted they had chosen a new location for festivals because of the construction going on at the Town Center and reported the Town of Buchanan was very generous to let them set up there. She reported there were over 3,000 people at the Tomato Festival on Saturday and folks seemed to be very pleased with the location. She reported as far as growth and statistics, they were down about 700 visitors since last year, but up by two vendors. She reported there were \$91,000 in total vendor sales last year, and this year brought \$111,000 in sales. She thanked the Farmers Market Board, the Board of Supervisors, the Daleville Town Center, and all community partners for another successful year.

Mr. Clinton stated \$20,000 increase in sales was very significant and asked if they had different vendors. Dr. White replied they did have two additional vendors, but they also worked harder with marketing.

#### **UPDATE ON 4-H PROGRAMS**

Tyler Painter, 4-H Extension Agent, offered a brief overview of the 4-H program, noting it had been a very busy school year with 30 elementary classrooms per month, including incubating eggs as a new project. He reported 1,250 students participated in 4-H programs last year. He reported 4-H Camp was a huge success again and thanked Mr. Larrowe for vesting camp one day and participating in Taco Salad Day. He then noted they are gearing up for the next school year. Mr. Painter introduced Brian Jones, a student and active member of 4-H, specifically in the Horse Club. Brian Jones discussed his activities in the Horse Club, explaining they study basic horse facts, colors, bones, breeds, and horse equipment. He reported during 4-H Camp there were many different classes, such as Riflery, Archery, Wilderness and Survival, and many others. He also discussed the Explosion Group in which they learned about rockets. He stated he enjoys learning about the anatomy of horses, and how to clean up after them. He stated he rides in the Hunter Jumper class and went to a show in Lexington. He noted his horse’s name is Sketch. He stated there would be a Horse Camp that Friday and it is for kids who have never been around horses, to teach them how to groom them and ride them.

Dr. Scothorn announced Citizen Comment Period would again resume.

#### **Jim Ludington, Amsterdam District**

Mr. Ludington stated it appears the library books are a “done deal”, but he didn’t think so. He stated concerned parents and grandparents will continue to fight this. He stated it is typical of government to allow all kinds of vulgar stuff and then regulate who sees it, but concerned citizens were not done taking care of our kids. He mentioned the Miller Case but noted we are Botetourt County, and we have different standards here.

#### **Rhonda Wood**

Ms. Wood stated the resolution was an “easy way out” for the Board instead of looking at this. She stated she grew up here and was ashamed to see “old white women and men” pitted against each other. She stated it disturbs her that an 8-year-old can learn different types of sex. She stated we all know how anatomy works and books should not tell kids that men can get pregnant because it is a lie, and we need to tell our kids the truth. She stated her friend runs a safehouse for sexually abused children and these kids are triggered when they see these things. She encouraged everyone to watch the movie, *Sound of Freedom*.

### Sabra Breslin, Blue Ridge District

*"My name is Sabra Breslin, Troutville. I've lived in Botetourt for the last 20 years. I've been a lifelong user of libraries; in fact, it is this love that led me to become a librarian. I'm now retired, but I come before you as a member of the library community and as a person vehemently opposed to censorship. I've spoken to you all before and I thank you for your attention now. As a reference librarian and as a librarian responsible for collection development, I was trained to not judge a patron's inquiry or request. Do you want a book on guns, sex education, and LGBTQ issues? Librarians are trained to assist you in finding that book, magazine, or database that will answer your question. They have no hidden agenda, no ulterior motives in helping patrons. But, if you look like you are under 13 they will definitely ask you parent/guardian to make sure its all good for you to have access to that book or information on guns, sex education or LGBTQ issues. Again. No judgement. Our public libraries are the repositories of information on a wide variety of topics. Just as society and information changes, so the information in the library changes. Believe it or not, accept it or not, but the LGBTQ community has as much a right to find materials in the public library that represent their experiences or point of view as anyone in this room and community. These books, especially graphic novels such as Gender Queer, may offend you, but you and yours need not check them out. Book bans violate everyone's First Amendment rights because they deprive everyone of the right to acquire information and ideas on whatever they want or need. The ideas and information in any library may offend one person or another at any point in time but just because it offends you does not give you the right to ban it for me and others. Our public library has guardrails in place for parents who are concerned about what their children are reading. Use those guardrails by all means, but just as I respect your First Amendment rights, you must respect my rights and the rights as everyone else as well. As Former First Lady Laura Bush remarked in 2002: 'Libraries allow children to ask questions about the world and find the answers. And the wonderful thing is that once a child learns to use a library, the doors to learning are always open.' Thank you"*

### Glenda Buchanan, Buchanan District

Ms. Buchanan stated this weekend the *Sound of Freedom* movie was played in Buchanan, which is a movie about child trafficking. She reported America is #1 in the world for child trafficking activity. She stated we have all been talking about this concern since January and have told the Board the facts that these books undress the innocence of children and are geared toward sexualizing them.

### **VDOT MONTHLY UPDATE**

Brian Blevins, resident engineer, reviewed the following report:

#### **Yearly Resurfacing Contracts**

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- **Prep Work:**

- Prep work for paving on the secondaries and primaries is underway for the 2023 paving season. Resurfacing contractors have already started in some areas of the district.

#### **Traffic Engineering Work Orders**

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- 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 detailed analysis was prepared in 2020 and this location was monitored again recently for a two-week period using CCTV. The determination was that making the change would make minimal, if any, improvements. As a result, no recommendations for these changes were made at this time.

- 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. Given that this segment of Rte. 681 qualifies as a low-volume roadway, is only 0.5 miles long, and is STOP controlled, there was no recommendation to make any changes at this time.

## Land Development Projects & Land Use Permits

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### ● 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  
4th submittal received on June 28, 2023.  
VDOT issued plan approval on July 5, 2023.
- WVWA Exit 150 and Route 220 Waterline Extension  
1st submittal comments sent to Botetourt County on April 25, 2023.  
Plan design coordination meeting held on June 6, 2023.  
Waiting on plan resubmittal.
- Flex, LLC  
1st review comments sent to Botetourt County on June 13, 2023.  
Waiting on plan resubmittal.
- New River Electrical  
1st submittal received on May 25, 2023.  
Plans are currently under review.
- Nace Road Railroad Crossing  
Revised plans for permit application received on July 3, 2023.  
VDOT issued plan approval on July 7, 2023.
- Ridges of Ashley (Ashley Plantation)  
1st submittal received on June 30, 2023.  
Plans are currently under review.
- Tucker Subdivision
  - 1st submittal received on July 11, 2023.
  - Plans are currently under review.

### Permits Issued:

- Permits issued between 06/14/2023 –07/18/2023:
  - 10 Utility Permits
  - 5 Private Entrances

## Residency Projects

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- **Contractor Mowing:** Contractor mowing on primary routes will begin around July 31<sup>st</sup>.

## Area Headquarters In-House Projects

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- **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.
  - Starting on PMSS 2023 Routes.
- Buchanan Area:
  - Grading various gravel roads, adding stone where needed and dust control where necessary.
  - Mowing/trimming on secondary roads.
  - Repair flood damage on Route 610, Chambers Road.
  - Remove debris from pipe on Route 611 (Greyledge Road) due to flooding, and shoulder repairs.
  - Tree trimming on various routes.
  - Patching on Route 630, Springwood Road.
- Eagle Rock Area:
  - Continue mowing secondary routes. First round complete
  - Brush and tree removal on both primary and secondary routes.
  - Grading as weather permits. Guardrail mowing on secondary routes.
  - Pipe installations on various routes.
- Fincastle Area:
  - Grading various gravel roads, adding stone where needed and dust control where necessary.
  - Mow trimming on primaries and some secondary roads.
- 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).
  - Machine shoulders on Route 460, Blue Ridge Boulevard.
  - Patching and pipe cut on Route 600, Breckinridge Mill Road.
  - Mow trimming on Route 665, Country Club Road.
  - Pipe replacement on Route 723, Brickyard Road.
  - Pipe replacement on Route 1010, British Woods Drive.
  - Pipe replacement and patching on Route 1413, Knollwood Drive.
  - Tree trimming and patching in the Stratford Subdivision.

Mr. Blevins also noted that Mountain Pass Road had not been ditched yet, but they are aware and working on it.

A citizen in the audience asked if Hill View would be included in the paving plan this year. Mr. Blevins replied the paving plan is intended to run from Route 460 to the Roanoke



County/Botetourt County line. He let the Board know that he had spoken with the citizen before about adding a route once it is set and contracted out because sometimes VDOT can add a route if they underrun the budget, but usually it overruns and they have to end up cutting projects instead.

Mr. Martin reported on Route 460 eastbound, approximately 100 yards west of the new subdivision, there are several potholes that need to be repaired.

Mrs. White asked for an update on Nace Road. Mr. Blevins replied it is on the schedule but Buchanan had been hit by some hard storms recently. Mrs. White noted there are zero shoulders on the road.

Mrs. White asked the citizen if her question was answered by Mr. Blevins. The citizen replied she was told by Mr. Blevins that Hunt Ridge would be paved in July but there is a big construction project going on that has torn up Hunt Ridge Road. The citizen stated if VDOT is spending money already they should do another quarter mile road that is actually in Botetourt County, going out to Route 220.

**REQUEST TO ADVERTISE FOR A PLANNING COMMISSION PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE BOTETOURT COUNTY COMPREHENSIVE PLAN THAT WOULD AMEND THE FUTURE LAND USE MAP #37 THAT IS ASSOCIATED WITH PARCELS IDENTIFIED AS 87-159, 87-161A, AND 87-161C**

Jonathan McCoy presented the request as shown below:

Section 25-581.3, Comprehensive plan amendment-owner initiated. The Code requires that "The owner or the agent of the owner of any parcel of real property may file a petition for an amendment to the comprehensive plan or the official map. The petitioner shall state with reasonable specificity the amendment(s) they seek."

Shiotani, Linda et al., and Suzanne and JW Rhoades petitioned the Board for amendments to the comprehensive plan that would establish an Agricultural Future Land use designation upon the parcels. The petition had been submitted in support of a forthcoming rezoning application that will request a change to the Agricultural (A-1) Use District for the development of a residential subdivision of up to 15 lots. The applicants also requested to rezone these properties to Agricultural (A-1) due to the cost of extending public sewer and water to serve these lots and the cost of constructing public roads within the proposed subdivision. The contiguous parcels are located along Orchard Lake Drive, directly behind The Glebe Retirement Community. All three parcels are in the Residential (R-1) Use District and are unoccupied, except for parcel 87-161A which contains a single-family residence.

Dr. Bailey asked Mr. McCoy if the applicants want to do private well and septic, and private roads. Mr. McCoy replied that is correct and there could be as many as 15, as few as 6, and the area covers about 50 acres.

MOTION: That the Board refer the petition to the Planning Commission so that the request can be analyzed in detail and after a public hearing, provide a recommendation on the proposed amendments.

MOTION: Dr. Bailey

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-17

**REQUEST TO ADVERTISE FOR A PUBLIC HEARING UNDER VIRGINIA PPEA FOR PURPOSE OF SELECTING TOP RANKED VENDOR FOR PUBLIC SAFETY RADIO SYSTEM PROJECT**

Matthew Hinckle, Emergency Communications System Manager, presented the request. He noted that on April 6, 2023, Botetourt County received two (2) proposal submissions for RFP #23-23804 (Public Safety Radio System). The two vendors that proffered offers were:

- L3Harris Corporation
- Motorola Solutions Inc.

He explained a thorough review of the Public Safety Radio system proposals had been ongoing by the Emergency Communications Committee and the County's third-party consultant Morcom Communications Inc. The Emergency Communications Committee consists of the following County employees:

Jason Ferguson – Fire Chief  
Daniel Murray – Emergency Manager  
Jeff Boone – Chief Deputy, Botetourt County Sheriff's Office  
Scott Gathje – Captain, Botetourt County Sheriff's Office  
Matthew Hinckle – Emergency Communications Systems Manager

The Emergency Communications Committee will complete the review of the RFP #23-23804 proposals by August 11, 2023, he noted. Per the rules of the PPEA the committee is required to schedule a public hearing with the Board of Supervisors to announce the selected vendor. At the public hearing the committee will make a motion to recommend the start of contract negotiations with the selected vendor.

Mr. Clinton asked if there was an expectation for more than two proposals. Mr. Hinckle replied he did not expect more because this is a very specialized system and only a few vendors can do it.

MOTION: That the Board authorize a public hearing on August 22, 2023 under the Virginia PPEA for the purpose of selecting the top ranked vendor for the Public Safety Radio System project.

MOTION: Dr. Bailey

SECOND: Mrs. White

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

RESOLUTION #23-07-18

Dr. Scothorn recessed the meeting at 8:50 p.m. The meeting was called back to order at 9:00 p.m. Dr. Scothorn announced Citizen Comment Period would again resume.

Timothy Buchanan, Buchanan District

*"Not long ago, these meetings began with prayers for God's wisdom. Perhaps it's worth considering if there would not be less contention and better decisions made here if prayers to Almighty God replaced the useless moment of silence. It's just a suggestion. Today, the United States is by far, the worlds #1 producer and exporter of pornography. As a U.S. Citizen and as a veteran, I'm ashamed of this fact. You should be too. Mr. Clinton, you said that you saw*

*nothing wrong with four of the disputed library books. But what did you see right about them? What virtues are promoted? How does it benefit a child to be told that referring to the girl next door as “she” might be cruel? How much poison do you think it safe to feed a child? Mr. Martin, you confided to me that you were disgusted by the images you saw in the library books and that children should not be exposed to them. You said there is nothing you can do. But that’s not true, is it? During these discussions, I’ve heard a dozen people defend the Library Director’s right to advance her wicked agenda. Mr. Lockaby warned of the risk of viewpoint suppression. And that argument might have merit if library porn was a political viewpoint. It’s not. Not once has anyone here produced any justification whatsoever for exposing children to pornographic images and false gender narratives. Not once. Truth is the dividing line between good and evil, Mrs. White, and this Board has staked its claim on the wrong side of truth. The five of you may be willing to risk the health and welfare of children to a form of depravity that has no bottom. We’re not. With adult leadership, this conflict could have been resolved months ago, in any number of ways. The Board has the authority, but chose to do nothing, impugning its own character and demonstrating contempt for the public. Now, you can pass a unanimous resolution supporting the Library Direct. You can commend yourselves for your “care and concern”, but what you cannot do is to make a political decision and call it right. And what you will not do is sweep this issue away with a morally obtuse resolution. If Library leadership does not change, then County leadership must.”*

#### Leigh Martell, Buchanan District

Ms. Martell thanked the Board for having a mtg at 6:30 p.m. so working citizens could attend. She stated she strongly objects to libraries having books that sexualize children. She stated she does not want an atmosphere like that, and she’s heard all the excuses that the Board can’t be censoring reading material. She stated we make people wait until age 16 to drive and age 21 to drink alcohol because that is appropriate to do so. She stated folks are either against these books, or for them, there is no middle ground. She called for the Board to terminate the library director.

#### Lewis Boyd

Mr. Boyd asked for clarification on the current library status and if the Board was promoting pushing the age limit up to 18. Dr. Scothorn replied currently a child 13 or under is required to have an adult present with them at the library; however, he was planning to make a recommendation to the Library Board to increase that to age 18. Mr. Boyd continued he was fully in support of First Amendment rights and working at Fincastle Baptist Church allows him to work with 200 kids every week. He stated it is discouraging to realize they can still go in the library and see these books and asked the Board to please reconsider this. He stated kids are like sponges absorbing everything they see, and they have to be protected.

#### Danny Goad, Valley District

Mr. Goad thanked the Board for the opportunity to speak. He stated there were three individuals standing there with him and they form the group BRACE.org. He read and provided a copy of a letter from the group. He stated this has all been brought before the Board. He stated he weeps for Botetourt County, and we will all reap the consequences of what the Board had done that evening. He stated two of the Board members will be gone this year, and three remain, but they will be gone next.

### **CONSIDER RESOLUTION AUTHORIZING CHIEF DEPUTY TREASURER TO SIGN CHECKS IN THE ABSENCE OF TREASURER**

Section 58.1-3162 (E) of the Code of Virginia states, "The Treasurer may, with the approval of the governing body, by resolution entered of record on the minute book of the board, authorize one or more of his deputies to sign any such checks whenever the necessity therefor shall arise by reason of the sickness or unavoidable absence of the treasurer or his inability to sign such checks for any other reason."

Administration received a request by Donna Boothe, Treasurer, that a resolution to this effect be adopted by the Board designating Mrs. Kelly Nicely, Chief Deputy Treasurer, authorization to sign any County checks in Mrs. Boothe's absence. The resolution is shown below:

**A RESOLUTION AUTHORIZING CHIEF DEPUTY TREASURER TO SIGN CHECKS IN ABSENCE OF COUNTY TREASURER**

**WHEREAS**, from time to time, the Botetourt County Treasurer may be unable to sign County checks due to illness, unavoidable absence, or other reasons; and,

**WHEREAS**, Section 58.1-3162(E) of the Code of Virginia of 1950, as amended, permits the Treasurer, with approval of the governing body, to authorize one or more Deputy Treasurers to sign County checks in the absence of the Treasurer; and,

**WHEREAS**, Botetourt County Treasurer Donna Boothe requests authorization in designating Mrs. Kelly Nicely, Chief Deputy Treasurer, to sign Botetourt County checks in her absence.

**NOW, THEREFORE, BE IT RESOLVED**, that the Botetourt County Board of Supervisors authorizes Mrs. Kelly Nicely, Chief Deputy Treasurer, to sign Botetourt County checks in the absence of the County Treasurer, effective immediately.

Adopted this 31<sup>st</sup> day of July 2023.

MOTION: That the Board authorize Kelly Nicely, Chief Deputy Treasurer, to sign checks in the absence of the Treasurer.

MOTION: Dr. Scothorn

SECOND: Dr. Bailey

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

RESOLUTION #23-07-19

**DISCUSSION, CONSIDERATION, AND APPROVAL OF AECOM PROPOSAL FOR HISTORIC BUILDING ASSESSMENT FOR HISTORIC GREENFIELD AND HISTORIC PROPERTIES COMMISSION**

Jonathan Lanford, Assistant County Administrator, stated because of the scope of this work, it had been difficult to get interested bidders. He reviewed the AECOM proposal, with Douglass Reed, Historic Structures Consultant, noting it provided for a fixed fee contract for hours on a specified set of actions to be taken by the consultant for each of four log buildings. The estimated cost for the services is a lump sum fee of \$27,925.

Historic Greenfield Preservation Advisory Council

Summer Kitchen - \$8,830

Quarters - \$5,240

Farm Manager's House - \$5,240

Expenses - \$535

Subtotal - \$19,845

Citizen Commission for Preservation of Historical Properties

Brian McDonald Sr. House - \$7,865

Expenses - \$215

Subtotal - \$8,080

Total - \$27,925

Mr. Lanford reported the Historic Greenfield Preservation Advisory Properties Commission had already approved the work, as did the Botetourt County Citizen Commission for Preservation of Historical Properties. He noted the committees have funds in their budgets to cover the costs. Dr. Bailey asked if Mr. Reed's work would be for all the structures. Mr. Clinton replied that was correct.

MOTION: That the Board approve the AECOM proposal for Historic Building Assessment for Historic Greenfield Preservation Advisory Council and the Citizen Commission for Preservation of Historical Properties.

MOTION: Dr. Scothorn

SECOND: Dr. Bailey

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

RESOLUTION #23-07-20

**DISCUSSION OF ROUTE 220/ALT. 220 CORRIDOR TRANSPORTATION ANALYSIS**

Mr. Lanford stated for the past two years staff has discussed engaging a transportation engineer to complete an analysis of the 220 corridor from Route 220 Alternate intersection with Route 460 to International Parkway. He explained there are a number of transportation related needs along this corridor, as noted by three SmartScale applications, specifically between Exit 150 and Catawba Road. He noted he had been told similar conversations and requests had been discussed by the Board several years ago. He recommended engaging term contract engineer AECOM to assist with this effort in a phased approach, initially focusing on the section mentioned beginning at Exit 150 and extending North to approximately Catawba Road, in an effort to develop proposed transportation improvement projects that will ultimately result in successful SmartScale applications and funding. He stated if the Board was agreeable, staff would negotiate a final proposed scope and fee and bring to Board for consideration in August.

Dr. Bailey asked if more information were available would it make the project more favorable for Smart Scale funds. Mr. Lanford replied they typically do not improve scores.

There was a consensus from the Board to continue with the discussions and to bring back a proposed scope and fee in August.

**APEX MONTHLY UPDATE**

Nicole Pendleton, director of community development, reported resubmittals were received on July 25 and are being processed for intake and distribution, with more information to come next month. Mrs. White asked if they look at the new comments only or do they review the entire package. Mrs. Pendleton replied there are more than ten project numbers, with more than 1,000 pages and they do look at every page, however, they focus mainly on the changes.

## **APPOINTMENTS**

- a) Roanoke Valley Transportation Planning Organization (RVTPPO) elected representative appointments – Steve Clinton and Billy Martin are eligible for reappointment. These are three-year terms from July 1, 2023, through June 30, 2026.

MOTION: That the Board reappoint Steve Clinton and Billy Martin to the Roanoke Valley Transportation Planning Organization for three-year terms expiring June 30, 2026.

MOTION: Mrs. White

SECOND: Dr. Scothorn

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

RESOLUTION #23-07-21

## **BOARD MEMBER COMMENTS**

There were no comments from Board members.

## **ADJOURNMENT**

MOTION: That the meeting be adjourned.

MOTION: Mr. Martin

SECOND: Dr. Bailey

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

TIME: 9:28 p.m.