

BOTETOURT COUNTY BOARD OF SUPERVISORS

MINUTES OF AUGUST 23, 2022

The regular meeting of the Botetourt County Board of Supervisors was held on August 23, 2022, at the Botetourt County Administration Center, 57 S. Center Drive, Daleville, Virginia, beginning at 12:30 p.m.

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

OTHERS PRESENT: Mr. Mike Lockaby, County Attorney
Mr. Gary Larrowe, County Administrator
Mr. David Moorman, Deputy County Administrator
Mr. Jonathan Lanford, Assistant County Administrator
Mrs. Lorie Bess, Deputy Clerk

Chairman Bailey called the meeting to order at 12:40 p.m.

On motion by Dr. Bailey, 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.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 (Greenfield) and Blue Ridge (including Jack Smith Park/Avery Row) districts.
- Section 2.2-3711.A.5 - Discussion on prospective businesses or industries or the expansion of existing businesses or industries where no previous announcement has been made of their interest in locating or expanding facilities in the community in the Amsterdam (Greenfield), and Blue Ridge (East Park), Valley, and Fincastle Districts.
- Section 2.2-3711.A.7 - Consultation with legal counsel pertaining to actual or potential litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating/litigating posture of the County regarding a Board of Zoning Appeals case.

AYES: Dr. Bailey, Mr. Clinton, Mr. Martin, Dr. Scothorn, Mrs. White
RESOLUTION #22-08-01

Chairman Bailey called the meeting back to order at 2:00 p.m.

On motion by Dr. Bailey, seconded by Dr. Scothorn, 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 #22-08-02

Chairman Bailey announced the following additions to the agenda:

1. Recognition of David Cox for his years of service with the Fire Department.
2. Under "Appointments", an additional appointment would be made for the Craig Valley Rail Bed Committee.

PUBLIC COMMENT

There were no citizens wishing to comment.

RECOGNITIONS

David Cox was recognized for his 30 years of service with the Eagle Rock Fire Department and Chaplain service to his community.

RETIREMENT

The Board recognized the retirement of Susan Tincher, Purchasing Manager.

INTRODUCTIONS

- Kim Hartman, Purchasing Manager, to replace Susan Tincher
- Christian Bayer, intern, Economic Development Office

CONSENT AGENDA

a) Minutes of July 26, 2022 Regular Meeting

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

MOTION: Dr. Scothorn

SECOND: Mr. Martin

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

RESOLUTION #22-08-03

APPROVAL OF TRANSFERS AND ADDITIONAL APPROPRIATIONS

For the month of August, there were two transfer requests. The first was a recurring quarterly transfer and the second transfer request was a transfer of County general fund monies to the School Capital Reserve Fund. With respect to appropriation requests, there were four pass-through appropriations and three regular appropriations requested as shown below.

1. Transfer \$1,399.85 to Sheriff's Department – Vehicle & Power Equipment Supplies, 100-4031200-31200-6009, from various departments as follows for vehicle repairs at the County Garage:
 - \$132.71 Animal Control–Vehicle & Power Equip Supp., 100-4035100-35100-6009-000
 - \$699.34 Comm. Development – Rep. & Maint. Vehicles 100-4081200-81200-3312-000
 - \$271.92 Purchasing – Rep. & Maint. Vehicles 100-4012530-12530-3312-000
 - \$242.76 Library – Rep. & Maint. – Vehicles 100-40731000-73100-3312-000
 - \$ 21.13 Maintenance – Rep. & Maint. Vehicles 100-4043000-43000-3312-000
 - \$ 15.90 Sports Complex – Rep & Maint. Vehicles, 100-4071300-71300-3312-000
 - \$ 16.09 Van Program – Rep. & Maint. Vehicles, 100-4071500-71500-3312-000
2. Transfer \$75,695.00 from General Fund 100 – Undesignated Fund Balance to School Capital Reserve Fund – Fund 301. This transfer and accompanying appropriation are for

the Communication (emergency radio repeater) system at the new Colonial Elementary School.

PASS-THRU APPROPRIATIONS - Pass-thru items 1 through 4 represent expenditure reimbursements, miscellaneous fees collected, donations, and use of grant funds. Pass-thru items 5-7, items 5 and 6 are appropriations of remaining balances in these funds as of June 30, 2022. Item 7 was an appropriation which will be combined with a requested rollover of FY22 remaining budgeted funds for continuing costs for the Munters Road project.

1. Additional appropriation in the amount of \$2,600.00 to Library – Community Programming, 100-4073100-73100-3185-000. These are donated funds received from Kiwanis Club of Botetourt and Bonsack/Blue Ridge Ruritan.
2. Additional appropriation in the amount of \$4,765.56 to Fire & EMS – Capital Outlay Other Capital, 100-4035500-35500-8012. This is for the receipt of grant funds from IAFC (International Association of Fire Chiefs).
3. Additional appropriation in the amount of \$4,007.23 to the following Sheriff’s Department accounts: \$100.00 to Firing Range Expenses, 100-4031200-31200-6015; \$5.53 to Office Supplies, 100-4031200-31200-6001, \$2,957.50 to Uniforms, 100-4031200-31200-6011133.11, and \$944.20 to Subsistence & Lodging, 100-4031200-31200-5530. These are funds received for class reimbursements, fees the use of the firing range, FOIA expenses, and uniform contract expenses.
4. Additional appropriation in the amount of \$3,461.56 to the following Correction & Detention accounts: \$2,767.86 to Medical & Lab Supplies, 100-4033100-33100-6004; \$283.70 to Uniforms, 100-4033100-33100-6011; \$400.00 to Food Supplies, 100-4033100-33100-6002, and \$1000 to Office Supplies, 100-4033100-33100-6001. The first item is for medical reimbursements from co-pays and Craig County regarding inmate medical care, the second is for contract payments, the third item is from Social Security incentive payments, and the fourth item are costs associated with inmate processing.

REGULAR APPROPRIATIONS:

5. Additional appropriation in the amount of \$137,277.79 to the Traffic Safety Program Fund – Fund 206. These are the remaining funds available at 6/30/22 that had not already been appropriated last month.
6. Additional appropriation in the amount of \$90,298.92 to the Courthouse / Courtroom Security Fund – Fund 217. These are the remaining funds available at 6/30/22 that had not already been appropriated last month.
7. Additional appropriation in the amount of \$116,068.49 to CIP – VDOT Revenue Sharing Program, 100-4094000-40000-9409-809. This appropriation in tandem with the re-appropriation of remaining FY22 budgeted funds for this project will cover projected costs for the Munters Road project. It should be noted that this appropriation is covered by savings vs. the original cost estimate for the Munters Sewer Extension project.

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

MOTION: Mr. Clinton

SECOND: Dr. Scothorn

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

RESOLUTION #22-08-04

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

Total expenditures requested for approval for August for the General Fund including debt service and all other funds was a combined total of \$1,149,574.02. Payable disbursements of note for the month were as follows:

- CIP – CCH Renovation A total of \$201,792 for work performed over the last month for design work and for various movement of structures and files.
- CIP – Technology Services \$83,210 paid to Tyler Technologies for annual cost of tax application services.

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

MOTION: Mr. Clinton

SECOND: Mr. Martin

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

RESOLUTION #22-08-05

VDOT MONTHLY UPDATE

Brian Blevins, resident engineer, provided the following updates:

- Route 220 Safety Improvements – South of Route 43 to South of Iron Gate
 - Project accepted July 26, 2022.
 - Project will be in warranty period until July 26, 2023.
 - Expect occasional erosion and sediment control maintenance activities.
- Tinker Mill Road Culvert Replacement
 - Work began early May.
 - Project is open to traffic with no restrictions as of August 3, 2022.
- Route 622 - Prices Bluff Road - Road Closure for Bridge Work
 - Close road on September 22, 2022 and reopen road on October 28, 2022.
 - The detour length is 6.6 miles.
 - Coordination will be made with county staff and emergency services.
- Middle Creek Road/Campground - A Traffic Engineering Work Order was submitted on 6/6/2022 requesting a speed study as well as consideration for bicycle and pedestrian warning signs. The review was completed, and the Salem Residency planned to reach out to the camp and Botetourt County Police for guidance.

Permits issued between 07/02/2022 –08/08/2022

- 7 Utility Permits
- 4 Private Entrances
- 2 Special Event
- 1 Environmental

PUBLIC HEARING – CONSIDER APPROPRIATION OF ADDITIONAL FY23 STATE FUNDING FOR SCHOOLS

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 August 10, 2022.

The budget amendment for consideration was for the awarding of School Capital and other funds from the Commonwealth of Virginia as part of the monetary considerations that made up the final FY23 State budget. This involved \$400 million in State grants that were awarded and apportioned to each school division in Virginia, with \$1 million as a base grant and additional funds provided based on ADM (Average Daily Membership). In essence, of the amount being received by Botetourt County Schools, approximately \$2 million was targeted for school capital, and the remaining \$400,000 was divided among other instructional areas. The amount of the budget amendment was \$2,410,103.00.

Dr. Scothorn stated he was happy that the County was able to appropriate \$2 million of new State construction funds for the school division, which adds to the school division's \$885,000 Capital Reserve. He encouraged the school system to review and calculate funds available for its Capital Reserve for the fiscal year and to provide a list of the work that would be done with the new State funds, as well as Capital Reserve Funds. He also suggested a timeline of when work will take place so the Board and the public would know what progress is taking place and when. He stated the Board was appropriating an additional \$75,000 in new County funding to meet a need for a communication system in Colonial Elementary School. He concluded by stating the Board remains supportive of the school system and had been working with Superintendent Russ and members of the School Board to continue progress.

Chairman Bailey declared the public hearing open. There were no citizens in person wishing to speak. The following comments were received via email prior to the meeting:

1. Emily Williams, 1899 Trinity Road. "The schools are in desperate need of funding for capital improvements. Please appropriate the additional state funding to the schools."
2. Richard Amstutz, 2237 Draft Road. "It seems that there is an urgent need to rectify a recent budget communication error that will delay overdue infrastructure work in our county public schools! I fully recommend that you appropriate as much financial support that you can to address this important issue!"

Chairman Bailey declared the public hearing closed.

MOTION: That the Board authorize a resolution to appropriate \$2,410,103 to the School General Operating Fund – Fund 220.

MOTION: Dr. Scothorn

SECOND: Mrs. White

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

RESOLUTION #22-08-06

RESOLUTION COMMEMORATING THE 250TH ANNIVERSARY OF THE TOWN OF FINCASTLE

RESOLUTION #22-08-07

Resolution in Recognition of the 250th Anniversary of the Town of Fincastle

During its regular meeting on August 23, 2022, the Botetourt County Board of Supervisors took the following action:

<u>NAME</u>	<u>VOTE</u>
Richard A. Bailey, Chairman	YES
Donald M. Scothorn, Vice Chairman	YES

Steven P. Clinton
Billy W. Martin, Sr.
Amy S. White

YES
YES
YES

WHEREAS, during the westward migration of the 18th century, many settlers were impeded by the barrier of the Allegheny Mountains to the west, and

WHEREAS, at the same time, they were attracted by the beauty of the Great Valley of Virginia., and decided to end their westward journey and settle in the lush valley between the Allegheny and Blue Ridge Mountains, and

WHEREAS, as a result, southwestern Virginia and the southern Shenandoah Valley became home to these settlers of primarily English, German, and Scots-Irish descent, and

WHEREAS, In the 1750s, John Miller erected a sawmill which attracted new settlers and other enterprises, and led to a small settlement known as Miller's Mill and,

WHEREAS, in 1770, Botetourt County was established out of Augusta County, stretching all the way to the Mississippi River; and

WHEREAS, local landowner Israel Christian ceded 45 acres near Miller's Mill for the establishment of Botetourt's county seat, designating locations for a courthouse, a jail, and "the Established Church"; and

WHEREAS, in 1772, the Town of Fincastle was founded by Parliament, named after George, Lord Fincastle, son of Virginia's Royal Lieutenant Governor, Lord Dunmore, and

WHEREAS, by 1784, Fincastle boasted 26 log dwelling houses, 21 cabins, one "double" cabin and 11 frame dwelling houses; along with several taverns, ordinaries and other commercial endeavors; and

WHEREAS, Fincastle soon became a major stop along the "Great Western Wagon Road" for those heading south and west, and

WHEREAS, the town became a center of political debate and discourse during the early years of our Republic, influencing events before, during, and after the American Revolution, and

WHEREAS, Fincastle has been rightly described as "picturesque," "charming," and "historic,"

NOW, THEREFORE BE IT RESOLVED that the Botetourt County Board of Supervisors recognizes the 250th Anniversary of the Town of Fincastle, to be celebrated at the Historic Fincastle Festival on Saturday, September 24, 2022.

PROCLAIMED this 23rd day of August, 2022.

MOTION: That the Board authorize a resolution commemorating the 250th Anniversary of the Town of Fincastle.

MOTION: Mr. Clinton

SECOND: Dr. Scothorn

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

RESOLUTION #22-08-07

CONSIDER RESOLUTION FOR SUBMISSION OF GRANT FOR SAFE STREETS 4 ALL

The Board was presented a joint grant application for the Federal Safe Streets 4 All program in cooperation with Roanoke County and the Town of Vinton to develop a transportation

comprehensive Safety Action Plan. As a part of the request, staff was seeking a commitment of funding to meet the 20% local match requirement, not to exceed a total of \$20,000. The Safe Streets 4 All program offers funding to local governments to produce a comprehensive transportation safety action plan and encourages collaboration at a regional level. The comprehensive safety action plan requires a robust public engagement and a long-range goal of achieving zero roadway fatalities.

The comprehensive safety action plan can be used to leverage additional grant funding for transportation projects that implement the suggestions identified in the plan itself. This grant opportunity is one of the several opportunities made available through the federal bipartisan Infrastructure Investment and Jobs Act. It was noted the application is due September 15.

RESOLUTION #22-08-08
RESOLUTION OF SUPPORT FOR JOINT APPLICATION FOR FEDERAL SAFE STREETS 4
ALL GRANT

During its regular meeting on August 23, 2022, the Botetourt County Board of Supervisors took the following action:

<u>NAME</u>	<u>VOTE</u>
Richard A. Bailey, Chairman	YES
Donald M. Scothorn, Vice Chairman	YES
Steven P. Clinton	YES
Billy W. Martin, Sr.	YES
Amy S. White	YES

WHEREAS, the Botetourt County Board of Supervisors is committed to advocating for and ensuring safe transportation facilities both in the County and the region; and,

WHEREAS; an average of 5 deaths per year occurred on Botetourt County roads between 2016-2020; and,

WHEREAS, the Safe Streets 4 All program provides funding through the federal bipartisan Infrastructure Investment and Jobs Act to develop the tools to help strengthen localities' approach to roadway safety and save lives; and,

WHEREAS, a Comprehensive Safety Action Plan provides targeted solutions to improving roadway safety for vehicles and pedestrians, leading to further opportunities for infrastructure improvement funding through the federal funding program; and,

WHEREAS, the Safe Streets 4 All program encourages partnerships with neighboring localities.

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors supports a joint application with Roanoke County and the Town of Vinton including a 20 percent match not to exceed \$20,000 for the federal Safe Streets 4 All program.

MOTION: That the Board authorize submission of a joint grant application for the Federal Safe Streets 4 All program, in collaboration with the Town of Vinton and Roanoke County.

MOTION: Mr. Martin

SECOND: Dr. Scothorn

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

RESOLUTION #22-08-08

APPROVAL OF THE PERSONAL PROPERTY TAX RELIEF ACT (PPTRA) RATE FOR 2022

In December 2005, the Botetourt County Board of Supervisors adopted ordinance amendments regarding the Personal Property Tax Relief Act (PPTRA). These amendments addressed the new reimbursement method for car tax relief for vehicle valued from \$1,001 to \$20,000, with no taxing of vehicles having a value of \$1,000 or less. A State block grant (\$3,418,137.01) had been received annually each year since 2006; this amount will remain unchanged in future years unless General Assembly legislation is enacted. This fixed amount has served to reduce the State’s subsidy from a targeted 70% (prior to 2006 under the Car Tax Program) to a smaller percentage.

In determining how to distribute relief among County taxpayers, the Board adopted the Specific Relief Method in December 2005. This method gives localities the option to apply State relief on a per vehicle basis and show the specific amount of relief on each tax bill. This method is reflected in the County’s current billing format.

This year (2022), based upon projected vehicle values and the amount of tax relief to be provided by the State, the County’s reimbursement is projected to be 36%. For 2021, the approved relief percentage was 46%, with the taxpayer portion set at 54% of the full tax amount. Applying a quarter of a million dollars in additional relief approved in the County budget, the total relief percentage increases to 39%. The 2022 relief (39%) and taxpayer portion (61%) percentages reflect increases in used car values.

As required by the State, the Board of Supervisors is required to annually adopt a resolution setting the percentage reduction in personal property for that year.

Chairman Bailey stated the Board does not have control over the value of vehicles and he realizes other localities are offering more, less, and even zero tax relief. He noted in 2020, the County provided \$2.3 million in real estate relief. In 2021, the Board provided \$264,000 to 82 local businesses that were negatively affected by the pandemic, and \$157,000 to local farmers who were also affected by the pandemic. He noted to his best knowledge, Botetourt County was the only county to offer this assistance to farmers. He thanked the staff for their diligent work on this task, namely the Commissioner of the Revenue and Treasurer.

**RESOLUTION #22-08-09
RESOLUTION SETTING THE ALLOCATION PERCENTAGE FOR PERSONAL PROPERTY
TAX RELIEF IN BOTETOURT COUNTY FOR THE 2022 TAX YEAR**

During its regular meeting on August 23, 2022, the Botetourt County Board of Supervisors took the following action:

<u>NAME</u>	<u>VOTE</u>
Richard A. Bailey, Chairman	YES
Donald M. Scothorn, Vice Chairman	YES
Steven P. Clinton	YES
Billy W. Martin, Sr.	YES
Amy S. White	YES

WHEREAS, in accordance with the requirements set forth in Section 58.1-3524 (C) (2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly and as set forth in item 503.E (Personal Property Tax Relief Program or “PPTRA”) of Chapter 951 of the 2005 Acts of Assembly any qualifying vehicle with a

taxable situs within the County commencing January 1, 2006, shall receive personal property tax relief; and,

WHEREAS, this Resolution is adopted pursuant to amendments to Chapter 23 Taxation of the Botetourt County Code adopted December 20, 2005.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF SUPERVISORS OF BOTETOURT COUNTY, VIRGINIA, as follows:

1. That tax relief shall be allocated so as to eliminate personal property taxation for qualifying personal use vehicles valued at \$1,000 or less.
2. That qualifying personal use vehicles valued at \$1,001 - \$20,000 will be eligible for 39% tax relief for the 2022 tax year.
3. That qualifying personal use vehicles valued at \$20,001 or more shall only receive 39% tax relief for the 2022 tax year on the first \$20,000 of value.
4. That all other vehicles which do not meet the definition of "qualifying" (For example, including but not limited to, business use vehicles, farm use vehicles, motor homes, etc.), will not be eligible for any form of tax relief under this program.
5. That the percentage applied to the categories of qualifying personal use vehicles are estimated fully to use all available PPTRA funds allocated to Botetourt County by the Commonwealth of Virginia.
6. That this Resolution shall be effective from and after the date of its adoption.

MOTION: That the Board set the Personal Property Tax Relief Allocation for the 2022 Tax Year at 39%.

MOTION: Dr. Scothorn

SECOND: Mr. Martin

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

RESOLUTION #22-08-09

CONSIDER RESOLUTION FOR REQUEST OF SUPPLEMENTAL APPROPRIATION FOR MUNTERS ROAD PROJECT

This request was for the reappropriation of budgeted funds for costs associated with the Munters Road project in Greenfield. Staff recommended the reappropriation of funds so that the projects could move forward and in order to complete the project on a timely basis. The following appropriation expired on June 30, 2022; however, this project will carry over into Fiscal Year 2022-2023.

RESOLUTION #22-08-10

RESOLUTION FOR REQUEST OF SUPPLEMENTAL APPROPRIATION FOR MUNTERS ROAD PROJECT

During its regular meeting on August 23, 2022, the Botetourt County Board of Supervisors took the following action:

NAME

VOTE

Richard A. Bailey, Chairman	YES
Donald M. Scothorn, Vice Chairman	YES
Steven P. Clinton	YES
Billy W. Martin, Sr.	YES
Amy S. White	YES

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

<u>Destination Acct.#</u>	<u>Account Description</u>	<u>July 2021 Amount</u>	<u>Explanation</u>
100-4094000-40000-9409-809	VDOT Revenue Sharing Match	\$652,378.12	Munters Road Project
TOTAL	General Fund Total	\$652,378.12	

Approved this 23rd day of August, 2022.

MOTION: That the Board authorize a supplemental appropriation for the Munters Road Project in the amount of \$652,378.12.

MOTION: Mrs. White

SECOND: Mr. Martin

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

RESOLUTION #22-08-10

UPDATE ON COURTHOUSE PROJECT

Gary Harvey and Emmett Lifsey, from Architectural Partners, provided a presentation updating the Board on the status and progress of the Courthouse Project. Both reported that the project was going very well. It was noted that there were no formal costs at that time because it was early in the design phase and costs are fluctuating. Mr. Harvey reported Package A, which prepares them to do the work, would be advertised that Sunday and bids would be submitted within four weeks. Mr. Lifsey added that Package B is still on track and the next day they would move into finalizing the documents. He explained Package B is the new courthouse. The pre-bid mandatory meeting is September 7, with bids due September 29.

Mr. Harvey noted a temporary Circuit Court office would be housed in the Public Safety Building. Mrs. White questioned the security of the records. Mr. Harvey ensured the Board that the records would remain secure, and the general public would not have access to them. He noted there would be no additional fire suppression measures, but the building is masonry. He also noted many of the records had been digitized.

Mr. Lifsey stated they had met with individual departments to determine where the files would be located, where people would sit, and basic logistics of the offices. He noted the new building will have the same footprint as the current building in an effort to preserve the history of Fincastle. He noted security would be greatly improved with several entrances added. He stated there will be a holding area for inmates to wait until they are escorted into the courtroom. He noted ADA accessibility is vastly improved with all restrooms being handicap accessible, as well as the Judge’s seat and witness box.

AWARD CONTRACT FOR 2024 COUNTYWIDE GENERAL REASSESSMENT

The Reassessment Committee completed items one through four below and brought before the Board a recommendation to award the reassessment contract to Wampler-Eanes in an amount

not to exceed \$539,450.00. Mr. Lanford noted the cost represents \$23 per parcel, which is a very fair price when compared with other localities.

Mr. Clinton stated the review process went very well and he never questioned their experience or confidence in their services. He agreed it was a fair price for the service.

2024 General Property Reassessment Schedule

Draft RFP	April 2022
Board: 1) authorize reassessment effective 2024 2) authorize procurement utilizing competitive negotiations 3) appoint a reassessment oversight committee 4) authorize the committee to evaluate proposals, select qualified offerors, negotiate contract terms, and recommend a contract award	April 26, 2022
Advertise RFP	April 27, 2022
Receive reassessment proposals	May 18, 2022
ROC recommend contract award to the BOS Hire reassessment contractor, execute contract	August 2022
Contractor conduct sales study	Sept. 2022 – Dec 2023
BOS Nominate Board of Equalization (BOE), appoint, train, etc.	Sept 2023 – Dec 2023
Mail reassessment notices	January 2024
Organize BOE	February 2024
Assessing officer hearings	Jan/Feb 2024

MOTION: That the Board authorize a contract with Wampler-Eanes for the 2024 General Property Reassessment at a cost not to exceed \$539,450.

MOTION: Mr. Clinton

SECOND: Mr. Martin

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

RESOLUTION #22-08-11

MOTION: That the Board appropriate \$357,950 to be combined with the original FY23 appropriation of \$181,500 to cover the total cost of reassessment services.

MOTION: Mr. Clinton

SECOND: Dr. Scothorn

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

RESOLUTION #22-08-12

APPROVAL OF VATI-2 BROADBAND CONTRACT

The Department of Housing and Community Development (DHCD) awarded Botetourt County with a Virginia Telecommunications Initiative (VATI) grant in the amount of \$3,084,796. The project that has been funded works with LUMOS to extend broadband fiber service to 1,901 addresses in the County lacking access to 25 megabits per second download and 3 megabits per second upload (25/3) broadband service.

Botetourt County's cash match to the project is \$2,602,514 (using its ARPA allocation) and LUMOS is committing \$2,222,423, for a total project budget of \$7,909,733. The project is expected to construct 243 miles of main fiber and 27 miles of new conduit to deliver Fiber-to-the-Home (FTTH) to as many of the 1,901 addresses that subscribe to LUMOS fiber internet service. Service connections, or long drops, are included in the grant-funded project.

County staff anticipate the broadband extension project to commence not later than September 1, 2022 and to be reasonably completed by December 31, 2023. County staff is working closely with the DHCD and with LUMOS to finalize details of the project.

There are two agreements for this project. The first agreement is between the Commonwealth of Virginia/ DHCD and Botetourt County. The second agreement is a grant agreement among Botetourt County, the Economic Development Authority (EDA) of Botetourt County, and LUMOS that would allow the EDA to contract directly with LUMOS as the grant recipient.

It was recommended to the Board that they approve the agreement, in substantial conformance, with the Commonwealth of Virginia and the grant agreement among the County, the EDA, and Lumos, and to authorize the Chair to sign the agreement on the Authority's behalf, upon review and approval by the County Attorney.

MOTION: That the Board approve a VATI grant agreement between the Commonwealth of Virginia/DHCD and Botetourt County, in substantial conformance, as presented.

MOTION: Dr. Scothorn

SECOND: Mrs. White

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

RESOLUTION #22-08-13

MOTION: That the Board approve the VATI MOU between Botetourt County, the Economic Development Authority of Botetourt County, and LUMOS, and also authorize the Chair to sign the agreement upon review and approval by the County Attorney.

MOTION: Dr. Scothorn

SECOND: Mrs. White

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

RESOLUTION #22-08-14

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) INDUSTRIAL REVITALIZATION FUND GRANT APPLICATION

In late July, Factory Flats, LLC, the development company working to renovate the former Groendyk manufacturing buildings in Buchanan, asked if the County could assist with funding for the construction. The Department of Housing and Community Development has a relevant funding program, the Industrial Revitalization Fund (IRF).

The Department of Economic Development staff worked with Factory Flats, LLC and the Town of Buchanan to prepare an application to the IRF program, with the application due Friday, August 19.

The Economic Development Authority, which would administer the awarded grant funds as a loan to Factory Flats, LLC, has reviewed the project budget and has approved the proposal pending negotiation of loan terms with the developers.

There was a recommendation for Botetourt County to request an Industrial Revitalization Fund (IRF) grant of \$463,276.50 to loan this amount to Factory Flats, LLC for a redevelopment project in the Town of Buchanan. The Developer is seeking to renovate the former Groendyk factory buildings, with one of the buildings comprising 3,381 square feet for a retail brewery operation. This project has been a strategic priority for the Town of Buchanan and Botetourt County for several years.

The current condition of the IRF subject building is poor, meeting blight standards per the Code of Virginia. Redevelopment costs for the other buildings slated for apartments are not included in the County's IRF grant proposal.

The total IRF project budget is \$926,553, which Factory Flats will need to commit a dollar-for-dollar match. The IRF budget includes \$804,103 (87% of the total budget) for building construction and renovation of the 3,831 square foot brewery.

Other categories of proposed expenditures include \$54,405 (5%) for building acquisition, \$26,496 (3%) for architectural & engineering fees, \$16,598 (2%) for demolition, \$10,875 (1%) for legal services, and \$14,076 (2%) for other direct expenditures including insurance, utilities, and marketing.

RESOLUTION #22-08-15

Resolution of Support for Industrial Revitalization Fund Grant for "Botetourt County – Factory Flats Revitalization Project in Buchanan 2022"

During its regular meeting on August 23, 2022, the Botetourt County Board of Supervisors took the following action:

<u>NAME</u>	<u>VOTE</u>
Richard A. Bailey, Chairman	YES
Donald M. Scothorn, Vice Chairman	YES
Steven P. Clinton	YES
Billy W. Martin, Sr.	YES
Amy S. White	YES

WHEREAS, private developers purchased the former Groendyk manufacturing buildings in the Town of Buchanan in October 2021; and

WHEREAS, the Town of Buchanan designated the former Groendyk buildings as a "revitalization area" in January 2022, in accordance with Virginia Code Section § 36-55.30:2 (A) and recognized the blighted condition of the buildings; and

Whereas, the Town Council approved a Town of Buchanan Special Use Permit, in February 2022, for the redevelopment of the property for apartments and a commercial business, namely a brewpub; and

WHEREAS, the Town of Buchanan received a Virginia Brownfields Assessment Fund grant in May 2022 to update environmental due diligence for the property; and

WHEREAS, the developers, Factory Flats, LLC, requested Botetourt County's assistance with the financing of the redevelopment construction; and

WHEREAS, the Virginia Department of Housing and Community Development administers the Industrial Revitalization Fund (IRF) to assist localities and private developers with the stabilization and redevelopment of former manufacturing buildings for adaptive reuse, and

WHEREAS, the Factory Flats project meets the general guidelines of the IRF grant program, which would require Botetourt County to loan any IRF-awarded funds to the Factory Flats, LLC according to an amortization of twenty years at 2.5% interest, and

WHEREAS, the Botetourt County Economic Development Authority is authorized to make loans to private businesses, pursuant to Virginia Code Section 15.2-4905.15;

WHEREAS, the Botetourt County Board of Supervisors certifies that the subject building is blighted in accordance with Code of Virginia Section 36-3.

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors approves the submission of a grant request in the amount of \$463,276.50 of Industrial Revitalization Funds for "Botetourt County- Factory Flats Revitalization Project in Buchanan 2022" for the redevelopment of a 3,381 square foot building, formerly part of Groendyk complex of buildings, in the Town of Buchanan, pursuant to the grant guidelines and requirements and also certifies that the subject building is blighted in accordance with the Code of Virginia Section 36-3.

Approved this 23rd day of August 2022.

MOTION: That the Board authorize an application for an Industrial Revitalization Fund grant for \$463,276.50 and the Board also certifies that the subject building is blighted in accordance with Code of Virginia Section 36-3.

MOTION: Dr. Scothorn

SECOND: Mrs. White

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

RESOLUTION #22-08-15

APPOINTMENTS

- a) The terms of members of the Community Policy Management Team (CPMT) would expire on September 1, 2022. All citizens had been contacted and were willing to serve. It was recommended the following citizens be approved as a group.
 - Botetourt School Division - This is a two-year term. Karen Turner, with Jim O'Reilly as alternate.
 - Roanoke/Alleghany Health District - This is a two-year term. Sandy McBride, with Kate Bowser as alternate.
 - Blue Ridge Behavioral Healthcare – This is a two-year term. Sarah Watkins with Cathy Brown, Heather Gunn, and Debbie Bonniwell as alternates.
 - Private provider (DePaul Community Resources). This is a two-year term. Melissa Cook with Trista Thompson as alternate.
 - Juvenile Probation Court Services – This is a two-year term. Shirley Thompson with Samantha Higgins as alternate.

- Sheriff's Department - This is a two-year term. David Moyer with Scott Gathje as alternate.
- b) Appoint replacement for Ed McCoy as a member to the Craig Valley Railroad Bed Committee.

MOTION: That the Board approve the members of Community Policy Management Team (CPMT) and also appoint Richard Furman to the Craig Valley Railroad Bed Committee to replace Ed McCoy.

MOTION: Dr. Scothorn

SECOND: Mr. Martin

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

RESOLUTION #22-08-16

BOARD MEMBER COMMENTS

Dr. Scothorn stated he has heard concerns that some citizens do not want broadband running through their property.

Dr. Bailey announced that Lumos has a new CEO, Brian Stading. Mr. Larowe added he is scheduled to meet with Mr. Stading and he is hoping to build the same great relationship he had with the former CEO.

Chairman Bailey recessed the meeting at 3:45 p.m. The meeting was called back to order at 6:00 p.m.

6:00 P.M. PUBLIC HEARINGS

Fincastle District: Paul R. and Diane D. Wolff requested a Special Exception Permit for a Private Airport with possible conditions, to operate a personal airplane in the Agricultural (A-1) Use District in accordance with *Sec. 25-583. – Special exceptions and Chapter 25 Zoning*, and *Article, II. – District Regulations, Division 1, Sec. 25-73(1) Airport, private* of the Botetourt County Code. This 33.79-acre parcel is located at the intersection of Shiloh Drive (Route 612) and Shiloh Church Road (Route 692) adjacent to the Shiloh Church and Cemetery at 519 Shiloh Drive, Eagle Rock and is identified on the Real Property Identification Maps of Botetourt County as Section 28, Parcel 94.

The Planning Commission recommended conditional approval of the Special Exception Permit request for a private airport with the following six conditions:

1. There will be no sale of fuel or repair service, nor storage of fuel, except for what is required for personal use.
2. There will be no air shows, rallies, or fly-ins.
3. There will be no commercial operations, such as flying lessons.
4. The airstrip is limited to light, propeller driven aircraft.
5. The SEP approval shall not exempt the use from meeting the requirements of the Botetourt County Noise Ordinance.
6. The airstrip shall be constructed in substantial conformance with the amended site plan titled, "SEP-22-00042-Wolff Private Airport, Concept Site Plan", dated June 8, 2022 included with the original application dated April 26, 2022.

Jonathan McCoy reviewed the request noting the following key points:

- Planes would not be flying toward the existing nearby church
- No fuel would be stored on the property
- Owner has been flying for many years and has an active pilot license

Chairman Bailey declared the public hearing open.

Barbara Kolb, 1027 Shiloh Drive, stated she is the closest landowner to the property. She noted the noise level of the plane is equivalent to a farm tractor and she has no objection to the airport.

Ray Sandifer, 912 Colbourne Avenue, introduced himself as the pastor of the church near the property of the proposed air strip. He stated he is excited about the improvements they are planning to make and he supports their request.

Brian Marazzi, 12386 Narrow Passage Road, introduced himself as vice-president of the Ruritan Committee. He stated he is also the president of the cemetery at Shiloh Church. He stated the Wolffs are great people, and he has no concerns with their request and is in favor of it.

Paul Wolff, 8231 Winterwood Trail, introduced himself as the property owner making the request. He stated he would not have undertaken this request if any of his neighbors were against it. He stated he was very appreciative of their support and has the utmost respect for the nearby church and neighbors.

There were no other citizens wishing to speak; therefore, Chairman Bailey declared the public hearing closed.

Mr. Martin stated he attended the site review with the Planning Commission and the pastureland is safely away from the homes.

Mrs. White thanked Mr. Wolff for surveying his neighbors and community before moving forward with the request. She stated she knows the Wolff's personally and she admires their integrity.

MOTION: That the Board conditionally approve the special exception permit for a private airport on the property of Paul R. and Diane D. Wolff, including the six conditions recommended by the Planning Commission.

MOTION: Mrs. White

SECOND: Dr. Scothorn

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

RESOLUTION #22-08-17

Amsterdam District: Fralin & Waldron Inc., (JKM, LLC /Jatin Patel (applicant/contract purchaser) requests a Special Exception Permit, with possible conditions, to increase the maximum building height above 45 feet, in the Traditional Neighborhood (TND) Use District in accordance with Sec. 25-583. – Special exceptions and Chapter 25 Zoning, Article, II. – District Regulations, Division 9, Sec.25-207(f).- Maximum height of buildings and structures of the Botetourt County Code. The 7.138-acre lot is located at the intersection of Town Center St. and Charter Ave. in Daleville and is identified on the Real Property Identification Maps of Botetourt County as Section 88(10) Parcel 2.

Drew Pearson reviewed the request. He reported the Planning Commission recommended conditional approval of the request for additional height with the following three conditions:

- 1) The SEP for an increase in building height shall be limited to the proposed use “hotel”, which shall be constructed in substantial conformance with the Proposed Exterior Elevation and the Special Exception Exhibit Plan, both titled, “Hotel-Daleville Town Center” prepared by Balzer & Associates and dated June 1, 2022.
- 2) Noise generated by the development shall not violate provisions of the Botetourt County Noise Ordinance.
- 3) The proposed development associated with the SEP shall meet all other specifications and general provisions required by the Botetourt County Zoning Ordinance and in no instance shall the SEP exempt a project from any local, state or federal development requirements, except where allowed by the Zoning Ordinance.

Mr. Pearson reminded the Board that the hotel was allowed as a permitted use in the TND use district and that the Special Exception Permit (SEP) request was associated with a 1.8-acre portion of the overall 7.138-acre parcel. He further explained the proposed building height would be consistent with that of the adjacent apartments, which were previously granted a SEP for the maximum increase in building height allowed by SEP.

Mr. Pearson reviewed the conditions that would require substantial conformance to the representative building elevations included in the application, as well as require the proposed hotel to be located as shown upon a concept site plan.

Staff also pointed out that two other SEPs for increased building height had previously been approved in the Daleville Town Center and that the hotel would be located adjacent to and no taller than the second phase of apartments.

Staff stated that Fire and Rescue had reviewed the request and responded that “the project itself causes no additional concerns outside of those already known to be factors in the area of the community”, noting that the hotel would add to the number of facilities that already necessitate the need for ladder trucks and their continued efforts to ensure that this area is adequately served with fire protection and emergency medical services.

Chairman Bailey declared the public hearing open. There were no citizens in person wishing to speak. The following comment was received via email prior to the meeting:

Joseph Kingma, 186 Hollymeade Lane. “We were unable to comment on the prior Planning Commission related to the approval of a Hampton Inn within the Daleville Town Center due to a death in the family. My comments are centered on the proposed building height variance but include commentary on the proposed hotel itself. We have owned property on Hollymeade Lane for nearly 30 years and see it as one of the original premier neighborhoods in Daleville. Glebe Road (Rt. 675) was a blind country road when we built in the neighborhood so tolerable due to the low volume of traffic. The increase in volume and speed of traffic on Glebe Road as a result of the high-density development in the Daleville Town Center and further west on Catawba Road has been significant and exacerbates an already treacherous situation based on the rapid elevation changes on Glebe Road that prohibit visibility of any oncoming traffic until cresting the hills. Adding the hotel will only increase the traffic, thus making worse the hazard,

and allowing an additional floor for even greater hotel density exacerbates this still further. I am not a fan of the hotel from an overall development perspective, but vehemently oppose it until something can be done to ensure safe travels on Glebe Road.”

Mrs. White referenced the email from Mr. Kingma and questioned if more traffic would, in fact, come out of Glebe Road. Mr. Pearson replied there would eventually be a connection to Glebe Road from the old development, but he doesn't see where it would increase traffic and this would not occur until the end of Phase 5. Dr. Scothorn questioned if VDOT was aware of the possible increase of traffic. Mr. Pearson replied VDOT had looked at it.

Mr. Clinton stated this opportunity supports economic development and Botetourt County goals for growth.

Chairman Bailey declared the public hearing closed.

MOTION: That the Board conditionally approve the Special Exception Permit (SEP) for additional building height on the property of Fralin & Waldron Inc., including the three conditions recommended by the Planning Commission.

MOTION: Mr. Clinton

SECOND: Dr. Scothorn

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

ABSTAIN: Mr. Martin

RESOLUTION #22-08-18

ADJOURNMENT

MOTION: That the meeting be adjourned.

MOTION: Dr. Scothorn

SECOND: Mr. Martin

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

TIME: 6:30 p.m.

RESOLUTION #22-08-19