

The regular meeting of the Botetourt County Board of Supervisors was held on Tuesday, March 25, 2014, in Rooms 226-228 of the Greenfield Education and Training Center in Daleville, Virginia, beginning at 2:00 P.M.

PRESENT: Members: Dr. Donald L. Scothorn, Chairman
Mr. L. W. Leffel, Jr., Vice-Chairman
Mr. Billy W. Martin, Sr. (arrived at 2:05 P. M.)
Mr. John B. Williamson, III
Mr. Todd L. Dodson

ABSENT: Members: None

Others present at the meeting:
Mr. David Moorman, Deputy County Administrator
Mrs. Elizabeth Dillon, County Attorney
Mrs. Kathleen D. Guzi, County Administrator

The Chairman called the meeting to order at 2:00 P. M. and wished everyone a Happy Agriculture Day.

He then asked for a moment of silence.

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

Dr. Scothorn noted that Mr. Martin will be a few minutes late in arriving at the meeting.

Dr. Scothorn then asked that the County Administrator, current County Treasurer Bill Arney, and former County Treasurer Benton Bolton join him in front of the dais for a presentation to a retiring County employee.

Mr. Arney stated that Mrs. Vicky Dooley is retiring from his office after 35 years of employment with the County. Mr. Arney said that he has seen the value that Mrs. Dooley has brought to the County first hand in her ability to maintain and retain information from many years ago as well as learning new software programs and accounting procedures. He noted that she has been invaluable to him as a new Treasurer when he was elected to the position in 2012. Mr. Arney noted that Mrs. Dooley worked for his predecessor, Benton Bolton, for 24 years and he expressed his gratitude to her for all that she has done.

Mr. Bolton noted that he became County Treasurer in 1988 and the County had an antiquated bookkeeping system at that time. He stated that Mrs. Dooley has been a leader in the innovations that the Treasurer's Department has made in moving from a paper-only general ledger system to a computerized accounting and financial software system. Mr. Bolton stated that he and his staff had to assess how these improvements should be done and think of a logical way to implement them. Mr. Bolton noted that Mrs. Dooley was a great benefit to the County and her family should take great pride in what she has accomplished for the County.

Dr. Scothorn then thanked Mrs. Dooley for the time that she has spent with the County.

Mr. Arney then presented Mrs. Dooley with a County watch containing the County seal on its dial and Dr. Scothorn presented her with a certificate noting her 35 years of service to the County.

Mrs. Dooley thanked the Board, Mr. Arney, and Mr. Bolton for their comments.

Mr. Williamson estimated that Mrs. Dooley has worked with five county administrators three treasurers, and approximately 30 board of supervisors members during her employment with the County.

Mr. Martin then arrived at this time (2:05 P. M.)

Mrs. Guzi then introduced Mr. Cody Sexton to the Board. She noted that Mr. Sexton was recently hired to fill the Information Specialist position with the County. She stated that his duties will include being a public relations liaison with various media outlets and he will conduct a lot of analytical work for the County.

Dr. Scothorn welcomed Mr. Sexton to employment with Botetourt County.

Mr. Sexton thanked Dr. Scothorn and the Board for their comments.

There being no discussion, on motion by Mr. Williamson, seconded by Mr. Martin, and carried by the following recorded vote, the Board approved the minutes of the regular meeting held on February 25, 2014, as submitted. (Resolution Number 14-03-02)

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

NAYS: None

ABSENT: None

ABSTAINING: Mr. Dodson

Consideration was then held on approval of transfers and additional appropriations. Mr. Tony Zerrilla, Director of Finance, stated that there was one transfer, 12 pass-through appropriations, and one school appropriation for the Board's consideration this month. He noted that they include cost sharing monies, sports sponsorship monies, reimbursement costs, grant funds, insurance funds received, and refunds.

Mr. Zerrilla stated that the school-related appropriation in the amount of \$65,000 is from the School's Capital Reserve Fund and will fund their participation in the School Efficiency Review Program administered by the Virginia Department of Planning and Budget. He noted that this appropriation is for the school's portion of this program's costs with the State paying the remaining one-half.

Mr. Zerrilla stated that the County's auditor, Robinson, Farmer, Cox Associates, has recommended that these school reserve fund monies be appropriated in this manner when necessary.

There being no discussion, on motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the following transfer and additional appropriations. (Resolution Number 14-03-03)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Transfer \$466.23 to Central Purchasing – Store Supplies, 100-4012530-6021, from various departments as follows for store supplies usage:

\$ 12.00	County Admin. – Marketing, 100-4012110-5840
\$ 75.80	County Admin. – Office Supplies, 100-4012110-6001
\$150.00	Deputy Co. Admin. – Marketing, 100-4012121-5840
\$ 82.00	Maintenance – Repair & Maintenance Supplies, 100-4043000-6007
\$ 26.53	Purchasing – Office Supplies, 100-4012530-6001
\$ 37.90	Comprehensive Services – Office Supplies, 100-4053500-6001
\$ 82.00	Library – Office Supplies, 100-4073100-6001

Additional appropriation in the amount of \$4,000 to Parks & Recreation – Repair & Maintenance – Buildings, 100-4071000-3313. These are funds received from Blue Ridge Booster Club to cover their portion of the cost of replacing scoreboards at Blue Ridge Park.

Additional appropriation in the amount of \$1,000 to Parks & Recreation – Special Events, 100-4071000-3180. These are funds received from Shenandoah Baptist Church for sponsoring a youth sports scholarship

Additional appropriation in the amount of \$869.60 to Parks & Recreation – Education & Recreation Supplies, 100-4071000-6013. These are reimbursed funds from Buchanan Booster Club for an equipment purchase made on their behalf.

Additional appropriation in the amount of \$1,162.93 to Tourism – Marketing, 100-4081600-5840. These are grant reimbursement funds received from the Virginia Tourism Corporation.

Additional appropriation in the amount of \$250 Tourism – Marketing, 100-4081600-5840. These are grant partnership funds received from the Town of Fincastle.

Additional appropriation in the amount of \$3,105 to Sheriff's Department – RAID Patrol, 100-4031200-5830. This is a quarterly reimbursement of RAID program expenses for the Botetourt County Sheriff's Office Alternative Program.

Additional appropriation in the amount of \$1,611.84 to the following Sheriff's Department accounts: \$1,454.50 to Vehicle & Power Equipment Supplies, 100-4031200-6009, \$143.79 to Subsistence & Lodging, 100-4031200-5530, and \$13.55 to Other Operating Supplies, 100-4031200-6014. These are reimbursed funds for extradition expenses.

Additional appropriation in the amount of \$484.43 to the following Sheriff's Department accounts: \$450 to Ballgame Pay, 100-4031200-1500, and \$34.43 to FICA, 100-4031200-2100. These are funds received for providing security at high school ball-games.

Additional appropriation in the amount of \$1,106 to the following Sheriff's Department accounts: \$360 to Repairs and Maintenance – Equipment, 100-4031200-3311, and \$746 to Convention and Education, 100-4031200-5540. These are federal grant funds received for a software upgrade and related training.

Additional appropriation in the amount of \$9,643.19 to the following Sheriff's Department accounts: \$ 4,891.04 to DMV Salaries, 100-4031200-1800, and \$4,752.15 to Police Supplies, 100-4031200-6010. These are funds received from a state DMV grant.

Additional appropriation in the amount of \$4,875.52 to Volunteer Fire & Rescue – County Volunteer Fire Departments, 100-4032200-5641. These are insurance reimbursement funds from a claim for damages to a medic unit.

Additional appropriation in the amount of \$3,755 to Public Utilities – Refunds, 502-4041500-5999. This appropriation is for a refunded overpayment on a sewer billing. This refund is included in this month's accounts payable.

Additional appropriation in the amount of \$65,000 for use of existing funds in the School Division Capital Reserve Fund. These funds will be utilized to fund the School's participation in the School Efficiency Review Program established by the Virginia General Assembly and administered by the Virginia Department of Planning and Budget. These funds constitute one-half of the total estimated cost of the review, with the State of Virginia paying the remaining one-half of the total cost.

Consideration was then held on approval of the Accounts Payable and ratification of the Short Accounts Payable List. Mr. Tony Zerrilla, Director of Finance, stated that this month's accounts payable totaled \$1,217,115.80; \$1,041,762.82 in General Fund invoices; and \$175,352.98 in Utility Fund expenditures. He noted that the Short Accounts Payable totaled \$236,630.31; \$223,002.49 in General Fund invoices; \$3,055 in Debt Service Fund expenditures; and \$10,572.82 in Utility Fund invoices.

Mr. Zerrilla stated that a special check had also been issued in the amount of \$130,739.81 to the County's Employee Health Insurance Fund. He noted that these were reinsurance monies received for the County's portion of health claims. Mr. Zerrilla further stated

that this month's large expenditures included \$33,872 to Criswell Chevrolet for the purchase of a 2014 Chevrolet Tahoe for use by Rescue Unit 7; \$27,000 to Virginia Western Community College for the CCAP program; \$268,874 to Professional Communications for upgrade work on the County's mountaintop radio transmitters; and \$40,000 to Earth Movers, Inc., for grading work on the new Sports Complex ballfields.

After questioning by Mr. Williamson, Mr. Zerrilla stated that the payments to VACo Insurance Programs are for the County's Worker's Compensation coverage.

There being no further discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board approved the accounts payable and ratified the Short Accounts Payable List as submitted. (Resolution Number 14-03-04)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a resolution authorizing a Deputy Treasurer to sign County checks in the absence of the Treasurer.

There being no discussion, on motion by Mr. Williamson, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board adopted the following resolution authorizing a Deputy Treasurer to sign County checks in the absence of the Treasurer.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-03-05

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 William P. Arney requests the concurrence by the Board of Supervisors of Botetourt County in designating Mrs. Donna Boothe, Deputy Treasurer, with authorization to sign Botetourt County checks in his absence;

NOW, THEREFORE, BE IT RESOLVED, that the Botetourt County Board of Supervisors approves the request of the Botetourt County Treasurer authorizing Mrs. Donna Boothe, Deputy Treasurer, to sign Botetourt County checks in the absence of the County Treasurer, effective immediately.

Consideration was then held on acceptance of sewer lines and appurtenances in Ashley Plantation, Section 6. Mr. David Moorman, Deputy County Administrator, stated that all developers are required to deed their water and sewer systems to the County following completion of construction. He noted that the sewer lines and appurtenances in Ashley Plantation, Section 6, have been completed, tested with the results supplied to the County, and a letter has been received from the engineer stating that the system was constructed according to the approved plans and specifications.

Mr. Moorman noted that the deed of conveyance and deed of easement have been reviewed by the County Attorney and requested that the Board accept these sewer lines and the pump station and authorize the County Administrator to sign the deeds on the Board's behalf.

After questioning by Mr. Williamson, Mr. Paul Peery, Utilities Manager, stated that this section of the subdivision is at a lower elevation than the surrounding area which necessitated the installation of a sewer pump station.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board accepted the sewer infrastructure and pump station in Ashley Plantation, Section 6, and authorized the County Administrator to sign the necessary deeds and paperwork on the County's behalf. (Resolution Number 14-03-06)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on Oversight Committee rankings of the proposals received to conduct the 2016 General Property Reassessment. Mr. David Moorman, Deputy County Administrator, stated that, after obtaining approval from the Board in February to issue a request for proposals (RFP), the staff advertised this project in early March and received two proposals; one from Wampler-Eanes Appraisal Group and one from Wingate Appraisal Service.

He noted that the Reassessment Oversight Committee reviewed both proposals last week and they appear to be responsive to the County's needs. Mr. Moorman asked that the Board authorize the Committee to begin negotiations with both firms in order to achieve the best contract possible to conduct the general property reassessment. He noted that, upon conclusion of negotiations, the staff will bring a contract to the Board for consideration at its May meeting.

After questioning by Mr. Williamson, Mr. Moorman noted that the County received an inquiry from a third appraisal company; however, the firm did not submit a proposal.

After questioning by Mr. Dodson regarding each firm's estimated total cost to conduct the reassessment, Mr. Moorman stated one proposer's estimated cost was higher than the other. He noted that the Committee has some questions about the additional costs in one of the proposals and will obtain answers to these questions during the negotiation process. Mr. Moorman further noted that the estimated cost is based on a per parcel and a per manufactured housing unit rate.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board authorized the Reassessment Oversight Committee to conduct contract negotiations for reassessment services with Wampler-Eanes Appraisal Group and Wingate Appraisal Service. (Resolution Number 14-03-07)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Consideration was then held on a resolution supporting adoption of the State's biennium budget. Mrs. Guzi stated that the Virginia General Assembly adjourned their 2014 regular session on March 8 without adopting a budget for the two year biennium which begins on July 1, 2014. She noted that this has resulted in the County not having final revenue numbers to use in the development of the FY 14-15 County budget.

Mrs. Guzi noted that the resolution included in their agenda packets encourages the Governor and the General Assembly to work together in order to have a budget adopted

“sooner rather than later.” She noted that there are three or four different budget versions being considered by the General Assembly at this time and she urged the Board to support this resolution.

On motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution supporting adoption of the State’s biennium budget and directed staff to forward a copy of this resolution to the Governor and the County’s General Assembly representatives.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-03-08

WHEREAS, each year the foremost duty of the Virginia General Assembly is to pass a budget or budget amendments that serve as Virginia’s financial blueprint for each fiscal year; and

WHEREAS, Virginia is consistently recognized for its sound fiscal management and budgetary practices as illustrated by its AAA bond rating and the strong bond ratings of many local government divisions throughout the Commonwealth; and

WHEREAS the County of Botetourt is currently in the process of developing and adopting its budget for the upcoming fiscal year; and

WHEREAS, the Botetourt County Board of Supervisors relies on the timely passage of a budget to allocate funding to local government services and make policy and hiring decisions for the upcoming fiscal year; and

WHEREAS, 33,423 residents of Botetourt County depend on county government to provide critical services such as education and public safety; and

WHEREAS, failure to pass a timely budget will result in uncertainty for the County of Botetourt, which receives over 19% of its funding as direct aid from the Commonwealth; and

WHEREAS, the Botetourt County School Board relies on the timely passage of the state budget in order to set its budget and make staffing decisions, which includes teacher contracts; and

WHEREAS, the Virginia General Assembly adjourned sine die on Saturday, March 8, 2014 without adopting a budget for the two year biennium beginning July 1, 2014, be it

RESOLVED by the Botetourt County Board of Supervisors, that the Governor of Virginia and the Virginia General Assembly are urged to pass a budget as soon as practicable to ensure the continued functioning of state and local governments; and, be it

RESOLVED FURTHER, that the issue of Medicaid Expansion under the Affordable Care Act should be decoupled from budget negotiations and considered in a separate legislative session to facilitate prompt passage of a state budget; and, be it

RESOLVED FURTHER, that the Botetourt County Board of Supervisors shall transmit copies of this resolution to the Honorable Terence R. McAuliffe, Governor of the Commonwealth of Virginia, and the County’s representatives in the Virginia General Assembly so that they may be apprised of the sense of the Botetourt County Board of Supervisors in this matter.

Mr. Williamson then provided the Board with a summary of the recent activities of the General Fund Budget Subcommittee on the proposed FY 15 County budget. He noted that the Subcommittee has met three times with the County staff budget team and then the Supervisors as a budget committee of the whole met last Wednesday morning to review the proposed

budget. Mr. Williamson noted that the Board is being asked today to authorize advertisement of the proposed budget for public hearing.

Mr. Williamson stated that there was no dramatic change in the operational budget allocations and there were some reductions made in the Capital Improvements Plan (CIP). He noted that the proposed advertised budget does include \$815,000 in new revenues for the schools. He noted that the budget as proposed is balanced with the use of monies from the Undesignated Fund Balance. Mr. Williamson noted that this is essentially a "flat budget" and there are no salary increases proposed for County employees. He noted that a majority of the increase over the FY 14 budget amount is due to employee healthcare-related costs. Mr. Williamson then requested that the Board authorize the advertisement of the FY 15 County budget as proposed.

Mrs. Guzi stated that summary pages of the proposed budget adjustments are being handed out to the Board at this time. She noted that the categorical summaries chart shows the budget adjustments made by the Budget Subcommittee and the revenue and expenditure balances after these adjustments are figured. Mrs. Guzi noted that the budget comparative chart shows the current proposed budget after including the changes made by the Subcommittee and the budget committee as compared to the current budget. She noted that the last page of the handout shows the draft budget public hearing ad. Mrs. Guzi stated that the budget and tax rate public hearing is scheduled for April 9 at 7:00 P. M. at the Greenfield Education and Training Center.

After discussion, Mrs. Guzi noted that the Board can still make downward adjustments to the budget after the public hearing but no increases above the advertised allocations can be made. She further noted that the current tax rates are proposed to be retained for calendar year 2014. She noted that a couple of adjustments were made by staff to the revenue figures based on new estimates and grant monies to be received which will be used to fund one-half of the purchase of a new ambulance.

She noted that an additional \$50,000 has been allocated to the Sheriff to be used either to adjust the salaries of personnel at the lower end of the salary scale based on the results of a recent compensation study or to hire an additional school resource officer. Mrs. Guzi stated that the proposed budget also has reduced the funding for the new Troutville fire truck and added funding for improvements to the Fincastle Volunteer Fire Department's building and grounds.

In the CIP budget, Mrs. Guzi noted that a \$140,000 reduction in the estimated cost of new financial software has been made. She noted that this adjustment is made based on the County upgrading its existing financial software instead of purchasing new software and the project now being funded over a three year period. She further noted that there has also been a reduction in CIP funds for the Greenfield Sports Complex.

After questioning by Mr. Leffel, Mrs. Guzi confirmed his statement that once the tax rate is advertised, the rate cannot be increased by the Board. She further stated that the Board could decrease the budget and tax rates after the public hearing but not increase these figures. She noted that the County's revenues must balance with its expenditures in the advertised budget.

After discussion, Mr. Williamson noted that the budget schedule includes an additional work session by the budget committee after the public hearing, if necessary.

Mr. Dodson stated that the Board should "see how the public hearing goes" before deciding whether another budget committee meeting is necessary in mid to late April.

Mr. Leffel stated that he appreciated the time that Mr. Williamson and Dr. Scothorn have spent in developing the FY 15 County budget.

After questioning by Mr. Dodson, Mr. Martin noted that the County has budgeted \$190,000 in FY 15 to fund the reassessment. Mr. Zerrilla concurred with this amount. Mrs. Guzi stated that this project will be funded over two fiscal years.

Mr. Martin stated that, in the original budget submittal, an additional 5 – 7 new positions were requested from various County departments; however, only funding of an additional Human Resources Specialist position was included in the final budget. He questioned the need for this position in the County's current economic condition.

Mrs. Guzi stated that Mr. Martin's statement is correct in that the only new position being requested is the HR Specialist and the budget committee has also included \$50,000 in funding for the Sheriff's Department to be used to hire either an additional school resource officer or adjust the lower-scale deputies' salaries. She noted that the additional human resources specialist position is needed as the County is now required to comply with additional mandated personnel requirements. Mrs. Guzi stated that three years ago the HR staff administered one Virginia Retirement System retirement plan and they are now required to administer three separate employee retirement plans. She noted that the HR staff is required to do a lot more administrative work today than in the past and this additional position is needed to serve all of the County and constitutional offices.

After questioning by Mr. Martin, Mrs. Guzi stated that Mrs. Mary Blackburn is responsible for these duties at this time. She stated that these duties will be redistributed to the new staff person and Mrs. Blackburn will oversee the new position. Mrs. Guzi stated that in the current, tough economic times, she would not request a new position unless it was absolutely necessary.

After questioning by Mr. Williamson, Mrs. Guzi noted that the School system has to be informed of its County budget allocation by May 1 of each year as per the Code of Virginia and the County is required to adopt a budget by June 30.

There being no further discussion, on motion by Mr. Dodson, seconded by Mr. Williamson, and carried by the following recorded vote, the Board authorized County staff to advertise for a public hearing on the proposed FY 14-15 County and school budgets and tax rates on April 9, 2014, at 7:00 P. M. at the Greenfield Education and Training Center. (Resolution Number 14-03-09)

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

NAYS: None

ABSENT: None

ABSTAINING: None

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

Mr. Hamm then reviewed VDOT's monthly report. He noted that, with the recent cold and snowy weather, little progress has been made on various projects. Regarding the new bridge being constructed as a part of the Catawba Road/Etzler Road intersection project, Mr. Hamm stated that the contractor is making progress on grading; however, there are issues regarding the bridge's shoring installation. He noted that they are working with the contractor to develop different options to this problem.

After questioning by Mr. Dodson, Mr. Hamm stated that it is possible that the dump trucks on the Catawba/Etzler Road project are using Glebe Road (Route 675) to transport fill dirt from the Daleville Town Center property to the construction site. Mr. Hamm noted that there are currently no truck restrictions on Glebe Road.

Mrs. Guzi stated that she understood that the contractor was directed to not use Glebe Road, which is a narrow, curving roadway, for this purpose.

Mr. Hamm noted that he will check with the project manager on this matter.

Mr. Hamm noted that in the past month VDoT has issued two land development permits, four utility entrance permits, four private entrance permits, and a road construction permit for the Town of Fincastle's sidewalk improvement project. He further noted that VDoT staff are obtaining construction estimates on Buhrman and Deerfield roads for consideration of improving these roadways through the Rural Rustic Road program. Mr. Hamm also stated that the installation of the box culvert on Mountain Valley Road (Route 643) will be advertised for bids in May and the work should be completed this fall.

Mr. Hamm then stated that the traffic studies on Routes 600 (Little Catawba Creek Road) and 779 (Catawba Road) have been completed. He noted that the section of Route 779 from the Roanoke County line to its intersection with Route 600 was studied and from 2010 – 2012 5 accidents occurred on this section. He noted that this section of road has a daily traffic count of approximately 250 vehicles. Mr. Hamm noted that their engineers determined that reducing the speed limit on this roadway would offer little benefit but they have recommended that warning signs be placed along the road to notify drivers of the road's conditions. He noted that these signs should be installed this month.

Regarding Route 600, Mr. Hamm stated that the daily traffic count on this section of roadway is approximately 340 vehicles. He noted that this roadway is approximately 18½' wide and their three year crash analysis showed that there were no accidents on the Roanoke County portion of this roadway and 4 accidents on the Botetourt County portion. Mr. Hamm stated that VDoT's traffic engineers saw no need for safety improvements along this roadway but a "Stop Ahead" sign will be placed near the 779/600 intersection.

After questioning by Mr. Dodson, Mr. Hamm stated that the logging trucks are still using Route 600 as far as he is aware but he is not sure when their VDoT permit will expire. Mr. Hamm noted that there have been several logging operations in the County over the past year including Route 615 near Roaring Run. He noted that VDoT maintenance crews will "track behind" the logging companies after they have completed their work to make road improvements.

After discussion, Mr. Hamm noted that the signs restricting through truck traffic along Route 43 (Parkway Drive) between Buchanan and the Blue Ridge Parkway have been installed. He also noted that VDoT staff will be installing signs along Routes 658 (Willowbrook Lane) and 607 (Webster Heights Road) notifying the public of the intention to close these roads to through truck traffic and asking for submittal of comments.

Mr. Williamson thanked Mr. Hamm for answering his Exit 150 questions via e-mail.

After questioning by Mr. Williamson regarding Trevey Road (Route 638), Mr. Hamm stated that VDoT has done some work on the road but it will probably remain as it is—a narrow roadway. He noted that VDoT will be adding stone to the road and moving the ditches back to their designed locations in the next few months. Mr. Hamm further noted that, over the years, the ditches and/or roadway have eroded causing the ditch to move closer to the roadway

making the roadway even narrower. Mr. Hamm stated that they have 8 – 9 gravel roads in this area that need additional stone and the ditch lines put “back to where they should be.”

Mr. Williamson then requested that speed studies be conducted on Lithia (Route 640) and Hardbarger (Route 636) roads. He also asked if Mr. Hamm had an answer to his question from last month regarding whether VDoT installs “no littering” signs.

Mr. Hamm stated that he misunderstood Mr. Williamson’s request on this matter last month and will check to see whether VDoT is responsible for installing “no littering” signs.

Mr. Dodson then noted that Deerfield Road (Route 760) is in need of gravel again.

Mr. Hamm stated that he drove down this road prior to today’s meeting and he will have their maintenance crew place additional gravel on this road. Mr. Hamm noted that, as soon as the weather improves, a new crosspipe will be installed on this roadway to help improve drainage.

After questioning by Mr. Leffel, Mr. Hamm stated that he also drove along Buhrman Road (Route 696) earlier today. He noted that it is a typical gravel road and their land development staff is reviewing the roadway to obtain a cost estimate to improve the road through the Rural Rustic Road program.

Dr. Scothorn noted that the section of British Woods Drive (Route 1010) that is currently not in the VDoT maintenance system continues to deteriorate.

It was noted that the County staff is aware of this issue and is investigating options to bring this portion of roadway up to VDoT standards so that it can be considered for acceptance into the Secondary System.

Consideration was then held on authorization to advertise a public hearing to restrict through tractor truck and trailer and/or semi-trailer combination traffic on Route 779 (Valley Road) between U. S. Routes 11 and 220. Mrs. Guzi stated that Valley Road is a narrow, curving Secondary System road between Route 11 in Troutville and Route 220 in Daleville. She noted that the Board has been discussing the problem of tractor trailer or semi-trailer trucks using this road as a cut-through for over a year. She noted that County staff is requesting that the Board advertise this proposed truck restriction for a public hearing at their next regular meeting.

Mrs. Guzi noted that in considering this through-truck restriction, the County is required to designate an alternate route for these trucks to use. She noted that VDoT has provided the County with a map of an alternate route which directs trucks to go south on Route 11 from Troutville and then north on Route 220 to avoid Valley Road.

Mr. Hamm noted that through truck restriction requests must originate from the Board of Supervisors. He noted that VDoT reviewed the State Police’s records on incidents involving these types of trucks on Valley Road but they did not provide much corroborating data. Mr. Hamm stated that they then reviewed the Sheriff’s Department’s records of incidents on this roadway in the last three years. He stated that the traffic counts show that 19 tractor trailers use this road each day and there have been 2 – 5 incidents per year for the past three years where tractor trailers have been involved in incidents that caused traffic delays and wreckers to be summoned to remove the trucks that broke down or became stuck. Mr. Hamm stated that VDoT’s traffic engineering department has recommended that a full truck restriction be considered by the County for implementation along Valley Road.

Dr. Scothorn noted that he met with Mr. Hamm about this issue a few weeks ago.

Mrs. Guzi noted that, if the restriction is approved and imposed, buses and delivery trucks with destinations along this road will still be allowed to use Valley Road.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Board directed staff to advertise for a public hearing on a proposed through tractor truck and trailer and/or semi-trailer combination restriction on Valley Road (Route 779) at the next regular meeting. (Resolution Number 14-03-10)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Mrs. Elizabeth Dillon, County Attorney, then gave a report on Planning Commission's findings of a Commission Permit based on a request from JCLJ Associates, LLC, to abandon a 30' X 750'+/- prescriptive VDoT public right-of-way at the end of Patterson Trail (Route 683) located west of Eagle Rock. Mrs. Dillon stated that this Commission Permit request, which was denied, was considered by the Planning Commission at their March regular meeting.

Mrs. Dillon stated that notice of a proposed road abandonment request is required to be posted for 30 days prior to being considered by the Supervisors; therefore, due to calendar conflicts, this public hearing could not be scheduled for the Board's March meeting. She noted that the roadway has now been posted notifying residents and visitors of this proposal to be discussed by the Board at their April regular meeting.

After questioning by Mr. Williamson, Mrs. Dillon noted that Section 25-576 of the Zoning Ordinance states that "a Commission permit is required in accord with the Code of Virginia, Section 15.2-2232, no street, park or other public area or public structure, public utility, public building or public service corporation facility other than railroads, whether publicly or privately owned, shall be constructed, established or authorized unless and until the general location or approximate location, character and extent thereof has been submitted to and approved by the planning commission as being substantially in accord with the adopted comprehensive plan or part thereof. Widening, narrowing, extension, enlargement, vacation or change of use of streets or public areas shall likewise be submitted for approval, but paving, repair, reconstruction, improvement, drainage or similar work and normal service extensions of public utilities or private service corporations shall not require approval, unless involving a change in location or extent of a street or public area."

She stated that approval of the Commission Permit is based on whether this abandonment request is in accordance with the County's Comprehensive Plan. She noted that the Planning Commission did not believe that this was the case in this instance and denied the request from JCLJ Associates, LLC. Mrs. Dillon noted that the Board can either overrule or abide by the Planning Commission's decision in this matter.

After further questioning by Mr. Williamson, Mrs. Dillon noted that in April the Board will consider both the road abandonment and the Commission Permit requests in two separate actions.

Mrs. Dillon noted that she will prepare a memo for the Board containing additional information on this request prior to the April regular meeting.

Mrs. Guzi then stated that the staff would like to update the Board on a proposal to rezone a portion of Botetourt Center at Greenfield. She noted that the County staff has

reviewed the current zoning of the Greenfield property and believe that some amendments are needed to open up the property to more and different types of businesses.

Mr. David Moorman, Deputy County Administrator, stated that the original design of Greenfield was to have a mixed-use development consisting of manufacturing and office park sites. He noted that the County's 2010 Economic Development Study affirmed Greenfield's design and purpose as primarily a manufacturing business park. Mr. Moorman noted that Greenfield is a unique resource in the Roanoke Valley.

Mr. Moorman stated that Jay Brenchick, Economic Development Manager, reviewed the report and the County's development-related assets and believes that, with the changes in the current manufacturing world toward research, the current zoning of the Greenfield property is not conducive to attracting these types of new businesses. He noted that the staff has been considering changes to the property's zoning to address this and believe that a "Research and Advanced Manufacturing District" designation should be considered for a portion of the Greenfield property.

After questioning by Mr. Williamson, Mr. Moorman stated that this new zoning designation is proposed to encompass the entire business and office park portion of the property.

After questioning by Mr. Dodson, Mr. Moorman noted that the staff is also reviewing whether the Greenfield covenants and restrictions should be updated.

It was noted that this rezoning request would be brought before the Planning Commission and Board of Supervisors in the next few months.

A public hearing was then held on proposed amendments to Chapter 15. Offenses-Miscellaneous, Article II. Noise of the Botetourt County Code to exempt music at a music or entertainment festival permitted by the County under Chapter 3. Amusements from the ordinance's provisions and to include Section 15-56. General prohibition regarding noise audible 50' or more from a property line.

Mrs. Elizabeth Dillon, County Attorney, stated that in January the Board approved amendments to the Noise Ordinance to comply with a ruling by the Virginia Supreme Court that declared a Virginia Beach noise ordinance to be unconstitutionally vague because it used a "reasonable person" standard in determining whether a noise violated the ordinance. She noted that during this update process one section (Section 15-56. General prohibition) was inadvertently removed from the County's ordinance.

Mrs. Dillon noted that this section is still needed to help with the Sheriff's enforcement efforts and she read the proposed language as follows, "In addition to the specific prohibitions contained in this article, no person shall make, continue, or cause to be made, continued, or permitted any noise disturbance wherein the sound is plainly audible at a distance of fifty (50) feet or more from the property boundary line of the lot containing the source of the sound, or, where dwelling units adjoin, wherein the sound is plainly audible through partitions common to two (2) dwelling units within a building."

She stated that this proposed language would pass "constitutional muster."

Mrs. Dillon further stated that the second proposed amendment to this ordinance (Section 15-54. Exemptions from article) would exempt "music at a music or entertainment festival permitted by the county pursuant to Chapter 3, Article IV, if in compliance with that article and the terms of the permit," from the provisions of the Noise Ordinance. She noted that

any music or festival event permitted under the County's Outdoor Musical or Entertainment Festival ordinance is proposed to be excluded from the Noise Ordinance's provisions.

After questioning by Dr. Scothorn, Sheriff Ronnie Sprinkle stated that he is glad that the Board is considering reinstating the general prohibition section in the Noise Ordinance. He noted that this provision gives his deputies some enforcement capability when responding to citizens noise-related calls. He noted that there have been occasions when summonses were issued due to noise ordinance violations and the matter was taken to court.

After questioning by Mr. Williamson to clarify the proposed music festival exemption, Mrs. Dillon again stated that the following language is being proposed to be added to Section 15-54. Exceptions from article, "(11) Music at a music or entertainment festival permitted by the county pursuant to Chapter 3, Article IV, if in compliance with that article and the terms of the permit."

Mrs. Dillon further stated that the County's current music festival ordinance requires the submittal of an application for each event. She noted that the proposed Amusements Ordinance public hearing to be held later today would allow a permit to be obtained either for each individual event or annually. Mrs. Dillon stated that the conditions included with the County's approval would control the hours that the music would be permitted and other details/aspects of the proposed music festival event.

After questioning by Mr. Williamson, Mrs. Dillon stated that the Supervisors would have full discretion regarding any issues associated with the permit application.

After questioning by Mr. Martin, Mrs. Dillon stated that, if the approved provisions of the outdoor music festival permit are violated, then the permit applicant would have to comply with the Noise Ordinance's requirements.

After questioning by Mr. Williamson, Mrs. Dillon stated that, if an outdoor music festival permit is issued by the County and the applicant is acting outside of the parameters of the permit's conditions, then the County Administrator and the Sheriff would work together to resolve the compliance issue.

After questioning by Mr. Dodson, Mrs. Guzi stated that the Sheriff receives copies of the permit applications submitted for these types of music festivals.

Mr. Robert Frydrych of Country Club Road stated that he had several questions regarding the proposed Noise Ordinance amendments. He noted that the ordinance contains definitions of commercial, industrial, and residential use districts impacted by these provisions and questioned whether the deputies responding to noise ordinance complaints are familiar with the locations of the various zoning designations.

He also questioned the provision under the Amusements Ordinance for the issuance of annual permits and whether those applicants would have to comply with the Noise Ordinance provisions.

Mrs. Dillon stated that outdoor music festival permits would be exempt from complying with the provisions of the Noise Ordinance if the applicant is in compliance with the Amusements Ordinance and their specific permit requirements.

After further questioning by Mr. Frydrych, Mrs. Dillon stated that the outdoor music festival permit would not "spell out the volume of the music, just the hours of operation of the festival." She also stated that the music festival ordinance excludes private events on private property.

Mr. Frydrych stated that he “is not comfortable” with the annual permit option. He noted that each proposed event should have to obtain an individual permit. He stated that the County does not know how many events a group would schedule under an annual permit approval.

Mrs. Dillon stated that the applicant would have to provide information to the County in their annual permit application with regard to the specific dates that the music festival/event would occur.

Mr. Frydrych noted that there are now apartments as well as single family residences located in the Daleville Town Center (DTC) development that would be impacted from the musical events being proposed at this site. He noted that music and noise are basically the same thing.

Dr. Scothorn stated that music and noise are two different issues.

Mr. Benjamin Ogburn of Oakway Court in Rainbow Forest Subdivision then questioned whether the Noise Ordinance includes provisions for people shooting guns. Mr. Ogburn noted that he has a neighbor approximately 1,000’ downhill from his property that frequently does target practicing. Mr. Ogburn noted that the gun being used “sound like cannons going off.” He noted that, at times, the neighbor shoots for an hour at a time.

After questioning by Dr. Scothorn, Sheriff Sprinkle stated that if the “general prohibition” language is adopted by the Board then his deputies can respond to complaints such as Mr. Ogburn’s and advise the person doing the shooting that they are in violation of the Noise Ordinance. Sheriff Sprinkle stated that currently as long as an individual is doing something such as target shooting on their own property there is not much that his department can do. Sheriff Sprinkle noted that his staff does not mind going out and talking to the involved parties in situations similar to Mr. Ogburn’s.

After questioning by Dr. Scothorn, Mr. Ogburn noted that he has called the Sheriff’s Department once in the past regarding the shooting occurring on his neighbor’s property.

Mrs. Bonnie Wilkinson of Roanoke Road in Daleville then stated that she lives across Route 220 from the Daleville Town Center. Mrs. Wilkinson invited the Board to her house when the first concert is being held.

Mr. J. W. Rhoades of Orchard Lake Drive stated that he would be in favor of the 50’ buffer as mentioned in the “general prohibition” amendment. Mr. Rhoades also stated that he had comments to make regarding the proposed Amusements Ordinance amendments.

After discussion, Dr. Scothorn then opened the public hearing on proposed amendments to Chapter 3. Amusements regarding outdoor musical or entertainment festivals.

Mr. Rhoades stated that the music festival permit should include specifications regarding the decibel level allowed beyond the perimeter of the property on which the event is being held. Mr. Rhoades stated that the volume of music from the DTC events is loud. He then provided the Board with handouts including a map of the DTC area and the location of his home on a nearby hill. Mr. Rhoades stated that the sporting events held at Lord Botetourt High School also cause noise but they are not as loud as the musical events at the DTC.

Mr. Rhoades stated that his handout also included information that loud rock music concerts are usually measured at 115 decibels and the National Institute for Occupational Safety and Health (NIOSH) recommends a maximum of 85 decibels for an 8 hour job. He noted that this information also shows that if sound increases by 10 decibels it doubles the loudness level.

Mr. Rhoades stated that the music festival permitting process should include a decibel level. He noted that the music “gets out of hand and is annoying.” Mr. Rhoades stated that he

downloaded a decibel meter app onto his Smartphone today and this can also be done by the Sheriff's deputies as well.

Mr. Wayne Lafon of Glebe Road stated that he lives close to the DTC and the musical events held at the amphitheatre do not bother him but he believes that a decibel level is "a good thing to implement." Mr. Lafon stated that he enjoyed last summer's musical events and did not see any traffic problems on Route 220 when the events were scheduled. Mr. Lafon stated that he supports these events; however, he was at the CVS store last summer during a concert and the music is loud from that location.

Mrs. Ruth Wallace of Glebe Road stated that she lives adjacent to the DTC property and the loudness of the music from their concerts causes the mirrors and pictures on her walls to vibrate. She noted that some of the events held last year ended at 9PM and some did not finish until 10PM. She noted that the noise "becomes annoying after a while."

Mr. Steve Shick of Glebe Road asked that the Board "do something about the decibel level" of these musical events. He noted that it is "loud and annoying" and sometimes the events go on later than others. Mr. Shick stated that "it is not the music itself; it is the level of sound."

After questioning by Mrs. Bonnie Wilkinson regarding Section 3-90. Rendition of music prohibited during certain hours, Mrs. Dillon stated that the language stating that music festival events can play music until midnight is proposed to be removed. Mrs. Dillon noted that the new language would prohibit music at such events between 10 PM and 8AM; however, the individual permit issued by the County for an event could further restrict these hours.

After further discussion, Mrs. Guzi noted that the current Amusements Ordinance language says that these types of events can continue until midnight; however, the proposed revisions stated that the music would have to stop no later than 10PM; however, this would be a specific item determined after reviewing each permit.

After questioning by Mrs. Wilkinson, Mrs. Guzi stated that the County has not received any outdoor music festival permits so far in 2014.

Mr. Rand Dozier of Brookview Circle stated that he lives approximately 0.9 miles from the DTC property. Mr. Dozier noted that he has three young children that cannot go to sleep until after 9PM on Thursday nights because of the loudness of the music from the DTC events. He asked that the Board do something about the decibel level of these activities.

Mr. Tom Brogan of Hollymeade Lane stated that he and the other citizens present at this hearing have more questions than answers on this matter. Mr. Brogan noted that he thinks that the County is "trying to give a blank check" to the musical activities proposed at DTC. Mr. Brogan stated that decibel levels should be set for such events. Mr. Brogan further stated that the citizens who spoke at today's hearings should be asked to work with County staff to develop a noise ordinance.

Mr. Wayne Bost of Glebe Road stated that he recently moved to the County and lives on top of the hill above the amphitheatre. He noted that during these musical events he has to go inside his home because of the high level of sound. Mr. Bost stated that he also has problems with people using his private driveway to gain rear access to the festival without having to pay the entrance fee. He asked that the decibel level from these events be decreased to a maximum of 85 decibels.

After questioning by Dr. Scothorn, there was no one else present to speak regarding these two hearings. The public hearings were then closed.

Dr. Scothorn thanked those citizens who were present and spoke at today's meeting. Dr. Scothorn suggested that the Board table a decision on these amendments for up to 30 – 60 days to try to obtain some additional information on the issues discussed, speak to the Sheriff regarding enforcement of the proposed ordinance, and further discuss the decibel level issue.

After questioning by Mr. Dodson, Mrs. Guzi stated that several "Party in the Park" events are scheduled for DTC this summer and that group is waiting for the Board's action on the Amusements Ordinance amendments before submitting an outdoor music festival application.

Mr. Dodson stated that he is agreeable with the proposed Noise Ordinance amendments being enacted but the Amusements Ordinance needs further work. Mr. Dodson stated that the ordinance's provisions should be "balanced" with the needs of those in the community.

Dr. Scothorn noted that it had been discussed that DTC may construct two earthen berms on their property in the future which would deflect some of the sounds from the amphitheatre.

Mr. Martin noted that the hours of operation of these types of musical events are proposed to be reduced from midnight to 10:00 P. M. in the amendments. He noted that a decision needs to be considered on the decibel level issue.

Mr. Dodson then questioned how the decibel level would be determined.

Sheriff Sprinkle stated that the County has always had a Noise Ordinance but he is not sure that the ordinance applies to the DTC. Sheriff Sprinkle stated that, if his office receives a complaint about the noise from the DTC, they will review the situation and if they cannot do anything will inform the citizen who called to voice their concerns to the Board members or the County Administrator.

Dr. Scothorn stated that, if an event at the DTC exceeds the specified time limit, then the matter is regulated under the Noise Ordinance.

Mr. Williamson stated that the Board will need to take two separate actions—one regarding the Noise Ordinance amendments and one for the proposed Amusements Ordinance amendments.

After questioning by Mr. Williamson regarding the effect that the current Noise Ordinance has on events at the DTC, Mrs. Dillon stated that the current ordinance which was amended in January applies to activities at the DTC but the ordinance does not include the "general prohibition" language.

Mr. Williamson then questioned do these proposed Noise Ordinance amendments "capture" the DTC musical activities absent the Amusement Ordinance's proposed amendments. Mrs. Dillon stated yes.

After questioning by Mr. Williamson, Mrs. Dillon stated that, if the Board adopts the proposed Noise Ordinance amendments today, and as the County has not yet received an application for any outdoor musical events/festivals, they could consider the Amusements Ordinance amendments at the next meeting. After further questioning by Mr. Williamson, Mrs. Dillon stated that, if the Board adopted the Noise Ordinance amendments and an outdoor music permit application is received from DTC for events to begin on May 17, then the application would come to the Supervisors for consideration. After further questioning by Mr. Williamson, Mrs. Dillon stated that the Board would still review and consider approval of the outdoor music permit application; however, the permit would be regulated by the current "antiquated" language.

Mrs. Dillon clarified this last statement by saying that, if the County received an application for an outdoor music festival permit prior to the new Amusements Ordinance amendments

being approved by the Board, then the application/permit could not be approved without action by the Supervisors.

After questioning by Mr. Dodson, Mrs. Dillon stated that under the current Amusements Ordinance, the Board can set the parameters of the music festival permit. Mr. Dodson stated that the Board needs to consider the County-wide ramifications of enacting these amendments.

After questioning by Dr. Scothorn, Mrs. Dillon stated that under the current Amusements Ordinance provisions, an applicant would have to apply for a permit for each event.

There being no further discussion, on motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board adopted the following resolution to amend Chapter 15. Offenses-Miscellaneous, Article II. Noise of the Botetourt County Code to exempt music at a music or entertainment festival permitted by the County under Chapter 3. Amusements from the ordinance's provisions and to include Section 15-56. General prohibition regarding noise audible 50' or more from a property line, effective immediately.

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

NAYS: None

ABSENT: None

ABSTAINING: None

Resolution Number 14-03-11

WHEREAS, Botetourt County desires to update its noise ordinance to more precisely describe excessive noise that is prohibited as is required by law; and

WHEREAS, notice of the intention of the Board of Supervisors to consider said ordinance was published (March 12 and 19, 2014) in The Fincastle Herald, a newspaper published in and having a general circulation in Botetourt County; and

WHEREAS, the Board of Supervisors has found that the public necessity, convenience, and general welfare deem it proper to do so,

NOW, THEREFORE, BE IT ORDAINED BY THE BOTETOURT COUNTY BOARD OF SUPERVISORS THAT Article II. Noise of Chapter 15, Offenses--Miscellaneous, of the Botetourt County Code, is hereby amended and reenacted as follows:

BOTETOURT COUNTY CODE

* * *

CHAPTER 15. OFFENSES-MISCELLANEOUS

* * *

ARTICLE II. NOISE

Section 15-51 through 15-53 (same)

Section 15-54. Exemptions from article.

(1) through (10) (same)

(11) Music at a music or entertainment festival permitted by the county pursuant to Chapter 3, Article IV, if in compliance with that article and the terms of the permit.

Section 15-55 (same)

Section 15-56. General prohibition.

~~Reserved.~~ In addition to the specific prohibitions contained in this article, no person shall make, continue, or cause to be made, continued, or permitted any noise disturbance wherein the sound is plainly audible at a distance of fifty (50) feet or more from the property boundary line of the lot containing the source of the sound, or, where

dwelling units adjoin, wherein the sound is plainly audible through partitions common to two (2) dwelling units within a building.

Section 15-57 through 15-59 (same)

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board tabled consideration of proposed amendments to Chapter 3. Amusements regarding outdoor musical or entertainment festivals for up to 60 days. (Resolution Number 14-03-12)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called for a 5 minute break.

The Chairman called the meeting back to order at 4:05 P. M.

A presentation was then given on the Fire Services Board's report regarding the County's emergency services system. Mrs. Guzi stated that last year the Board requested that the Virginia Fire Services Board (FSB) conduct a study of the County's fire and emergency medical services system. Mrs. Guzi noted that the County is becoming more and more of a combination system with both career and volunteer personnel.

Mrs. Guzi stated that representatives from the Virginia Department of Health's Office of Emergency Medical Services, the Department of Forestry, the Department of Fire Programs, and the Virginia Municipal League visited the County and interviewed numerous stakeholders in the County's emergency services units including the volunteer chiefs and captains, the County's Department of Emergency Services, Administrative staff, and members of the Board of Supervisors. She noted that the input from these individuals was used to develop a framework for the recommendations contained in the Fire Services Board's report.

She stated that Mr. Randy Wheeler, a member of the Virginia Fire Services Board and the Poquoson City Manager, was present today to review the report's findings with the Board.

Mr. Wheeler thanked the Board for allowing him to give this presentation and noted that the Fire Services Board would be available as a future resource to the County if necessary. Mr. Wheeler noted that the five members of the FSB's study team as mentioned by Mrs. Guzi visited the County in early January 2014 and spoke with officials of the County's career and volunteer fire and rescue agencies, County Administrative personnel, and members of the Board of Supervisors. He noted that the team appreciated all of the help that the County and volunteers offered.

Mr. Wheeler stated that the team found honesty and commitment to providing fire and rescue services in the County in their meetings with these stakeholders. He noted that the comments received indicate that enhanced leadership in the emergency services system is supported and the volunteer units appreciate and recognize the support provided to them by the Board of Supervisors. Mr. Wheeler stated that the report identifies things that are working well, suggests opportunities for improvement based on the study team's findings, and provides guidance for future consideration.

Mr. Wheeler stated that "things are working well" and the funding provided to the volunteer agencies for capital equipment purchases is outstanding, but then questioned, "so why are

we here?” He stated that there are two reasons—because the emergency services system is either in crisis or in a state of evolution. Mr. Wheeler stated that Botetourt County’s system is in a state of evolution. He noted that the County needs to take the different volunteer fire, rescue, and paid staff and work to enhance that group as a system. Mr. Wheeler noted that “the individual parts (of the County’s system) are good.”

Mr. Wheeler stated that some of the study team’s recommendations were in process when the group visited the County in January and some of those recommendations have been revised since those meetings. Mr. Wheeler stated that the study team was asked to look at several areas, including organization and structure, communications, assessment of training and training standards, administration and equipment, and recruitment and retention, and working themes were developed from these components.

Mr. Wheeler stated that the first theme was organizational and operational development. He noted that it had been asked whether the County should proceed with its plan to have a paid Emergency Services Director. He noted that the recommendation is ‘yes’ as it is imperative that the paid staff have a leader. Mr. Wheeler stated that this person should be able to listen, build a team, have a community spirit, have excellent communications skills, and be capable of discussing issues as they evolve. He also stated that the County should review the ordinance conflicts between the duties of a chief and the Fire and Rescue Steering Team (FARST) to specify the responsibilities of the paid chief’s position and when and where FARST would become involved. Mr. Wheeler stated that the report also recommends the creation of a fire and rescue association consisting of leadership representatives from both the paid and volunteer emergency services members. He noted that the chairmanship of this association could be shared and the position rotated monthly between the director and a member of the volunteer units. He noted that this will ensure an inclusive organization that considers everyone’s views.

Mr. Wheeler stated that a set of systemwide standard operating procedures and a strategic plan should also be created to focus on desired outcomes and services that the group wishes to provide. He noted that the association’s members should be challenged to do this, as a systemwide vision for the County’s fire and rescue services is needed.

Mr. Wheeler noted that it is also important to develop leadership training and invest in future fire and rescue leaders. He noted that the management structure and service delivery should be reviewed as well as operations on the ground, pre-planning, and ordinances.

After discussion, Mr. Wheeler stated that the incident command issue also needs to be resolved including identifying and offering needed training and procedures developed to handle any issues that occur on the “fire ground” during an incident response. Mr. Wheeler stated that the County should also “give some thought” to the adoption of the Statewide Fire Prevention Code which will help in planning for incidents that may occur at new commercial/industrial structures in the County and toward minimizing fire risk.

Mr. Wheeler stated that the second theme involves communications and it is suggested that the County host a strategic planning session to resolve existing issues between the various volunteer and paid fire and rescue entities, the County administration, and dispatch personnel. He noted that there appears to be gaps in communication on all sides. He noted that the County needs to build on the strengths of the system and a “reset” button is needed to put the past issues behind and move forward. Mr. Wheeler stated that “only together can you plan together and move forward.” Mr. Wheeler noted that there were no negative comments made

about the County's dispatch center operations during their review and he encouraged the County to continue to improve its dispatch operations.

He noted that the third theme pertains to training. Mr. Wheeler stated that the team heard many comments regarding the need for additional training during their discussions. He noted that many volunteers throughout the emergency services system are proceeding with their training. He noted that the County will need to prioritize what training activities need to be planned for and what needs to be done by both the County and the volunteers to pursue this further. Mr. Wheeler stated the team also encourages all of those individuals training to be firefighters to be trained as emergency first responders as well. He noted that this is a means of stretching the available resources and suggested that the County fund as much of these training classes as possible.

Mr. Wheeler noted that theme four of this report involves administration. He noted that the County currently has a revenue recovery system in place and the team encourages the County to continue its support for capital equipment purchases including the purchase of a ladder truck in the future. He noted that the County has mutual aid support from Roanoke County but it needs to be prioritized in the future as the County "should not have to rely" on its neighbors for the availability of this equipment. Mr. Wheeler also stated that the report suggests that there be a standardization of purchases in the County's emergency services departments to allow the County to get more for its money. He noted that there are many types of equipment that can be or should be uniform in composition and the issue of joint purchasing opportunities should be explored.

He noted that the fifth theme is recruitment and retention. Mr. Wheeler noted that recruiting and retaining fire and rescue personnel is an issue in the County and elsewhere but the answers to this problem in one location are not the answers in another. Mr. Wheeler suggested that the County utilize the experience of the volunteer leaders to help "fine tune" strategies that work in this community. He noted that recruitment and retention is an on-going effort and an investment in the system. Mr. Wheeler suggested that the County work with the association on these strategies.

Regarding operations and staffing, Mr. Wheeler stated that an increase in fire planning and capability is needed to reduce the fire insurance costs/fire insurance ratings on homeowners. He noted that the County could also participate in the dry hydrant program offered by the Virginia Department of Forestry and other agencies. He noted that these types of programs would show the citizens that there is a return on their investment.

In closing, Mr. Wheeler stated that the County should use the report's findings to celebrate their successes. He noted that the County should capitalize on opportunities for improvement; continue with its Chiefs and Captains meetings; work to evolve the emergency services leadership; give attention to developing a strategic plan, and work to re-energize the fire and rescue organizations.

Mr. Wheeler stated that the "bones are strong" in the County's emergency services system but it needs to evolve and look toward the future and "what results you want." He suggested that the County "focus on the larger community" as the people in the County are up to the task. Mr. Wheeler stated that he and the study team look forward to seeing how things are working for the County in a year.

Dr. Scothorn thanked Mr. Wheeler for his report and driving to Fincastle from Poquoson in today's winter weather conditions.

After questioning by Mr. Williamson, Mr. Wheeler stated that he did not have any information on the percentage of counties of Botetourt's size that had adopted the Statewide Fire Prevention Code.

Mr. Williamson stated that development of a recruitment and retention plan is a fascinating idea and asked if Mr. Wheeler had any examples of such plans from other localities. Mr. Wheeler stated that he would provide this information to the County along with some examples of the counties of Botetourt's size that have adopted the Fire Prevention Code.

After questioning by Mr. Martin regarding the Fire Prevention Code, Mr. Wheeler stated that the Code allows localities to charge businesses fees for review and inspection of their building plans and structures for compliance with the Code's provisions.

Mr. Leffel thanked Mr. Wheeler for the work that he and the study team did in compiling this report.

Dr. Scothorn noted that Mr. Wheeler indicated that the County's emergency services program is a system in evolution and he agreed with this assessment. Dr. Scothorn and the Board members then applauded the work of the County's fire, rescue, Sheriff's, and public safety staff. He noted that this report is the first step in the right direction of developing the County's future emergency services system. Dr. Scothorn again thanked Mr. Wheeler and the study team for their work on this report.

Dr. Scothorn noted that a unified system organization for improved efficiencies in fire and rescue response will best serve the County and its residents. He noted that communication is a key factor in growth. Dr. Scothorn further noted that the County intends to restructure FARST, consider the use of recommendations from the study, look at the funding of these agencies, and encourage cohesion, innovation and, effectiveness in the emergency services system. Dr. Scothorn stated that the Board is committed to implementing these recommendations to improve the County's fire and rescue system.

Dr. Scothorn then appointed Mr. Leffel and Mr. Dodson to a committee to work with County staff and the stakeholders to develop short-term and long-term implementation plans for the study's recommendations. He again thanked Mr. Wheeler and his team for their work on this study and thanked the fire and rescue personnel who were present at today's meeting. He noted that the Board is appreciative of their work.

Mrs. Guzi noted that copies of the complete Fire and EMS Study are available at this meeting and the report will be posted on the County's website. She also thanked those individuals who were in attendance for this presentation.

After discussion, on motion by Mr. Martin, seconded by Dr. Scothorn, and carried by the following recorded vote, the Board appointed Ms. Penny Hall to the Community Policy and Management Team as the Department of Social Services representative for a term to expire on September 1, 2014, and directed staff to send a letter to Mr. Bill Burleson thanking him for his previous service on the CPMT. (Resolution Number 13-03-13)

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

NAYS: None

ABSENT: None

ABSTAINING: None

Dr. Scothorn then stated that discussion has been held on the Board holding a strategic planning session later this year. Dr. Scothorn noted that he believes it is important to have a

pre-strategic planning event to prepare for this session; therefore, he would like to appoint two members of the Board to consider potential facilitators and work with staff to make preparations. Dr. Scothorn stated that he is appointing Mr. Williamson and Mr. Martin to this committee.

Discussion was then held on the renewal of the County Administrator's employment contract.

Mr. Williamson stated that Mrs. Guzi's employment contract with the County expires later this month. He noted that the Supervisors discussed the contract in closed session at their February meeting and the County Attorney has drafted an amendment to the agreement. Mr. Williamson stated that this amendment will extend the current contract on a year to year basis without changing the agreement's basic terms, conditions, and compensation, unless either party provides the other with 90 days written notice of the intent to not renew.

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Martin, and carried by the following recorded vote, the Chairman was authorized to execute the Amendment to the County Administrator's employment agreement prior to the end of the current contract (March 31, 2014) to extend the contract on a year to year basis unless either party provides the other with 90 days written notice of the intent to not renew.. (Resolution Number 14-03-14)

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

NAYS: None

ABSENT: None

ABSTAINING: None

On motion by Mr. Williamson, seconded by Mr. Dodson, and carried by the following recorded vote, the Board then went into Closed Session to discuss disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County and for consultation with legal counsel regarding the same as per Section 2.2-3711A (3) and (7) of the Code of Virginia of 1950, as amended. (Resolution Number 14-03-15)

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

NAYS: None

ABSENT: None

ABSTAINING: None

The Chairman then called the meeting back to order at 6:05 P. M.

On motion by Mr. Dodson, seconded by Mr. Leffel, and carried by the following recorded vote, the Board returned to regular session from closed session and adopted the following resolution by roll call vote: (Resolution Number 14-03-16)

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

NAYS: None

ABSENT: Mr. Dodson

ABSTAINING: None

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

A public hearing was then held on a request in the Valley Magisterial District from Porter Mountain Properties, LLC, to rezone from a Residential R-3 Use District to a Business B-1 Use District, with possible proffered conditions, for the purpose of commercial office space and a

Special Exception Permit for minimum district size to one (1) acre, with possible conditions, located on a 1.02 acre parcel at 8782 Cloverdale Road, Troutville, approximately 0.04 miles north of the Alternate U. S. Route 220 (Cloverdale Road)/State Route 775 (Spring Hollow Road) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101B(A) Parcel 3.

It was noted that the Planning Commission had recommended conditional approval of both the rezoning and Special Exception Permit requests.

Mr. Jeff Busby, Associate Planner, stated that the Planning Commission had recommended the following condition on the rezoning request: "Drug dependency rehabilitation facilities or services shall not be permitted uses on the property." and removed all of the existing SEP conditions ("The SEP is for the use of a medical care facility to the exclusion of all other R-3 uses; all construction must be reviewed and approved by the Botetourt County Building Department, and the site must meet the conditions stated in VDoT's letter of December 4, 2003.") as they are no longer needed and/or applicable to this property.

Mr. Busby stated that no one spoke in opposition to this request at the Planning Commission meeting. He also noted that this request is in compliance with the County's Comprehensive Plan which indicates commercial/businesses uses along the Alternate U. S. Route 220 corridor.

Mr. Busby then reviewed various maps of this property and stated that the Shenandoah Podiatry office currently located on this parcel is relocating to a space in Summerfield Village approximately 1 mile east of this site. He noted that this property's owners are requesting to rezone the 1.02 acre parcel to Business B-1 to allow another doctor's office to locate on this property.

After questioning by Mr. Williamson, Mr. Busby stated that the property located south of this site (landscaping business) is zoned Business B-3 and the property north of this site, which contains a single family dwelling, is zoned for Agricultural-Rural Residential AR use. He further stated that the property located across Alternate 220 from the Porter Mountain site is zoned B-2 and is used as a sign company and computer repair shop.

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

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Dodson, and carried by the following recorded vote, the Botetourt County Board of Supervisors approved this rezoning request with the following condition and approved the Special Exceptions Permit for a reduction of minimum district size to one acre and removed all of the existing special exception permit conditions as they are no longer needed or applicable. Therefore, be it ordained by the Botetourt County Board of Supervisors that the Botetourt County Zoning Ordinance and the Botetourt County Real Property Identification Maps be amended in the following respect and no other: (Resolution Number 14-03-17)

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

NAYS: None

ABSENT: None

ABSTAINING: None

PORTER MOUNTAIN PROPERTIES, LLC

In the Valley Magisterial District to rezone from a Residential R-3 Use District to a Business B-1 Use District for the purpose of commercial office space and a Special Exception Permit for minimum district size to one (1) acre, with possible conditions, located on a 1.02 acre parcel at 8782 Cloverdale Road, Troutville,

approximately 0.04 miles north of the Alternate U. S. Route 220 (Cloverdale Road)/State Route 775 (Spring Hollow Road) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 101B(A) Parcel 3.

1. Drug dependency rehabilitation facilities or services shall not be permitted uses on the property.

A public hearing was then held on a request in the Valley Magisterial District from Hometown Bank for a Special Exception Permit, with possible conditions, for the operation of a medical care facility in a Business B-2 Use District on property located at 60 Summerfield Court, Roanoke, on the western side of the intersection of Summerfield Court (Route 1117) and Alternate U. S. Route 220 (Cloverdale Road), identified on the Real Property Identification Maps of Botetourt County as Section 107 (9), Parcel 1.

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

Mr. Jeff Busby, Associate Planner, stated that, as mentioned in the previous request, the Shenandoah Podiatry office is relocating from the Porter Mountain property to a facility in Summerfield Village owned by Hometown Bank. He noted that this property is zoned for Business B-2 and there are a couple of Business B-1 zoned lots located across Alternate 220 from this site. Mr. Busby noted that the Comprehensive Plan designates this area for commercial purposes.

Mr. Busby noted that the Planning Commission recommended the following condition be included with this request's approval: "Drug dependency rehabilitation facilities and services shall be prohibited."

After questioning by Mr. Williamson, Mrs. Elizabeth Dillon, County Attorney, stated that even though Dr. Scothorn's office is located in another portion of Summerfield Village, he has no commercial/financial interest in this request and therefore has no conflict that would keep him from voting on this matter.

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

There being no further discussion, on motion by Dr. Scothorn, seconded by Mr. Williamson, and carried by the following recorded vote, the Board approved a request in the Valley Magisterial District from Hometown Bank for a Special Exception Permit for the operation of a medical care facility in a Business B-2 Use District on property located at 60 Summerfield Court, Roanoke, on the western side of the intersection of Summerfield Court (Route 1117) and Alternate U. S. Route 220 (Cloverdale Road), identified on the Real Property Identification Maps of Botetourt County as Section 107 (9), Parcel 1, with the following condition: (Resolution Number 14-03-18)

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

NAYS: None

ABSENT: None

ABSTAINING: None

1. Drug dependency rehabilitation facilities and services shall be prohibited.

It was noted that the request in the Blue Ridge Magisterial District from Roanoke City (Intercept Youth Services, contractual purchaser) for a text amendment to Chapter 25. Zoning, Section 25-601. Definitions to include "Children's Residential Assessment and Diagnostic Center with private school for up to sixteen (16) youths ages 11-17;" a text amendment to Chapter

25. Zoning, Section 25-73. Uses Permissible by Special Exception to add a Children's Residential Assessment and Diagnostic Center with private school for up to sixteen (16) youths ages 11-17 by special exception permit; a Special Exception Permit in the Agriculture A-1 Use District for the placement of a Children's Residential Assessment and Diagnostic Center with a private school to serve up to sixteen (16) youths ages 11-17 at 108 Coyner Springs Road (State Route 660), approximately 0.43 miles north of its intersection with Blue Ridge Boulevard (U. S. Route 460), identified on the Real Property Identification Maps of Botetourt County as Section 108 (9), Parcel 1B, had been withdrawn by the applicant at the Planning Commission meeting.

Mr. Busby noted that the applicant's attorney indicated that they had found another site for this proposed use.

The Board was reminded that the FY 14-15 budget and tax rate public hearings would be held on Wednesday, April 9, 2014, at 7:00 P. M. in Rooms 226-228 of the Greenfield Education and Training Center.

There being no further discussion, on motion by Mr. Leffel, seconded by Mr. Dodson, and carried by the following recorded vote, the meeting was adjourned at 6:19 P. M. (Resolution Number 14-03-19)

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

NAYS: None

ABSENT: None

ABSTAINING: None